

The Seneca Falls Town Board held a Public Hearing on Wednesday, November 30, 2016 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Gregory Lazzaro; Councilpersons Vittorio Porretta, Annette Lutz, David DeLelys and Mary Sarratori. Also present was Patrick Morrell, Attorney for the Town.

Supervisor opened the Public Hearing at 6:00 P.M., and stated people have signed up when they entered the Building. Speakers must use the podium and there is no time limit on speaking.

Mr. Lazzaro of Shamrock Avenue stated he has been a resident of Seneca Falls for 29 years and a taxpaying Citizen. He said against the advice of our Attorneys, the Board is here at a Public Hearing on a proposed local law. What started out as a contentious year with Seneca Meadows, they finally reached the point where they were having positive conversation, listening to one another and moving forward in the right direction. The Board has heard from many constituents from both sides of the issue, and decided to negotiate. We have had three public forums, read emails from people and have listened to many petitioners at Board Meetings. Due to this meeting tonight, the Board could lose all positive momentum that was gained this year. Mr. Lazzaro stated he will not be a part of this Hearing; negotiating a new host community agreement is the only way to move forward.

Mr. Lazzaro requested that this Hearing be changed to another date because he had a personal out-of-town commitment. He changed that commitment, and will be leaving tomorrow morning instead. Not one Member who voted to have this Public Hearing wanted to accommodate my conflict. Since April, he has done everything to accommodate other schedules.

Mr. Lazzaro stated the people of Seneca Falls have spoken on November 8th. It is hard to lose an Election, accept defeat and take a back seat until your term is over. He said he is leaving this Hearing now, and will not be taking part in this Public Hearing tonight.

Jeff Shipley, President of the Seneca County Chamber of Commerce, stated his concern with Local Law #3 is that it specifically targets a local business, which is unnecessary, unwarranted and unjust. The Town is protected from future landfill creation/expansion by a 1998 local law; moving forward with this local law sets a dangerous precedent. Mr. Shipley urged the Board to stand down on this local law.

Gene Pierce, Owner of Knapp Winery and Restaurant and President of the Chamber of Commerce Board of Directors, stated the Chamber has feelings regarding this and how it seems to impact a specific business within the Community. The Chamber Board has had extensive conversation about this and unanimously support their mission which is to support businesses within this County. Mr. Pierce said for that reason, they are very supportive of not seeing this particular local law passed.

Doug Avery, 54 Cayuga Street, stated passage of Local Law #3 is the only way to bring about closure to this unfortunate chapter in our Town's history. Recent actions taken by Seneca Meadows point to a corporation confident in its ability to continue operation far into the future. They have purchased Tarjac and recently purchased a farm in Waterloo. They have invested millions to upgrade the intersection at their entrance, subsidized construction of the new rail spur, blanketed the Town with robo calls during the recent Election and sent out mailings that threatened big tax hikes. Mr. Avery stated this local law best protects the Town with a closing date, and if it passes, the Board has nine years to devise a plan.

Karen Rothfuss of Waterloo, spoke in support of Local Law #3 which puts the Landfill on notice that they are done in 2025, and they should plan accordingly. It also gives the Town some time to work on their Budget and have a working Budget in place by 2025, a budget which does not require Landfill money. Seneca Meadows has no intention of closing the Landfill in 2025 as per the current Host Agreement, and even with a local law, it is likely that the Landfill will sue the Town of Seneca Falls at some point so they can stay open for the next 50+ years and dictate what the Host Agreement will be. Ms. Rothfuss added pass Local Law #3 which represents smart and responsible government that puts the interest of the Community ahead of the Landfill.

Jan LaValley, resident of Seneca Falls for 42 years, made the statement that a multi-billion dollar corporation has infiltrated itself into the fabric of this Town, so much so that we have grown to believe that it is an essential element to our economic stability. She asked the Board Members to vote tonight to enable Local Law #3 which calls for closure in 2015, giving the Town enough time to prepare for the loss of revenue and jobs. Ms. LaValley said this is our chance to create a good life for our kids.

Jill Byington of Waterloo stated she lives four miles away from the dump and it stinks. Seneca Meadows is inappropriate, unbecoming, unsuitable and an insult to the people who live here. She has a health concern. She referred to the NYS Department of Health website (Important things to know about Landfill gases). Methane makes up 90% of greenhouse gases; it is the gas that smells, and that is her biggest concern. Ms. Byington said whether you are for or against the dump, this law protects you. She wholeheartedly supports passing this Law.

Kent Gardner of Center for Governmental Research of Rochester, stated they were engaged to calculate the physical impact of the Landfill closure. The revenue from Seneca Meadows totals about \$2.7 million which would have to be replaced in the absence of the Landfill. In the absence of that revenue, the taxes would, in fact, somewhat more than double. To replace that revenue with property taxes, would require a new development valued at about \$522 million which is a steep hill to climb. Mr. Gardner stated that the employment and payroll impacts within the County total about \$5 million. Finally, Mr. Gardner made the point that there are indeed volunteer contributions made by SMI to Community organizations via cash and inkind which totals about \$250,000.

Betty Steele of Waterloo stated the Board needs to pass this Local Law. As a registered nurse, she researched the adverse effects living near the Landfill. She talked about the liners and leachate collection systems to minimize leakage which landfills are required to have, and said leachate collection pipes can fail due to cracks or collapse due to the weight of the landfill, and can clog up in less than a decade. People can be exposed to landfill gases either at the landfill itself or in their Communities. Ms. Steele said odors from day-to-day activities are indicative of gases moving above ground. She believes the Law must pass to ensure that no further Landfill expansion can ever proceed, and that there is an eventual end date for closure.

Vincent Lalli, Lower Lake Road, stated land, water and air are the basics of life. Continued expansion of Seneca Meadows without an agreed end date jeopardizes these basic needs for all living creatures. In his opinion, Seneca Meadows wants their cash cow that brings millions and millions to go on and they don't want any end in sight ever. Mr. Lalli said we must pass Local Law #3, a tough and principled path which sets in stone a closure date of 2025. This gives the Town nine years to wean itself off of the money from the dump.

Kyle Black, District Manager of Seneca Meadows, stated the findings and purpose section of the pending Local Law lists several negative impacts of the Landfill which he took issue with. The Local Law also asserts that sufficient funds do not exist for closure and post-closure care of the Facility, but then fails to account for the significant financial negative impact to the Town and its Residents were the Law to pass. While current Board Members have stated the proposed Local Law will not impact SMI's operations within the Town until 2025, there are provisions within the Local Law which lacks sufficient clarity to preclude the potential impact on SMI's operations prior to 2025.

Mr. Black stated the findings about odor are inaccurate and over-stated. He acknowledged there is an odor issue, and said the Town of Seneca Falls has been kept fully informed of the aggressive efforts being pursued to address the odor issues. They have been working closely with the DEC to take steps that not only deal with the immediate issue, but also will proactively prevent similar issues in the future. To date, SMI has completed approximately 80% of the odor control plan, and is diligently moving forward with the remainder of the work. Mr. Black stated negative impacts of traffic safety, noise, dust, litter, property values and harming the Town's development are unfounded, exaggerated and baseless. He continued to elaborate on each of the impacts.

Mr. Black stated rather than continue to negotiate revisions to the Host Community Agreement in good faith, the Town Board has instead chosen to revise the proposed Local Law and provide only 20 days (including Thanksgiving Holiday) for SMI and interested Members of the Public and Community to review the revisions and prepare written statements, despite SMI's request that the Public Hearing be rescheduled. SMI respectfully requests that the Town Board leave the Public Hearing open after November 30th to allow for continued submission of additional written comments to address any issues raised during the Public Hearing.

Mr. Black stated throughout the years of operation in the Town of Seneca Falls, SMI has strived to be a good neighbor and a good corporate citizen. Prior to this past year, complaints about the Facility have remained exceptionally low since 2004. They have acknowledged and proactively addressed the recent issues with odor, and will continue to address and pursue those activities that will improve the odor issues. SMI desires to continue to provide whatever support to the Community possible including providing good paying jobs, supporting the economy of the Town and donating to the many worthy non-profit Community and educational programs that enrich the lives of all of us in Seneca Falls.

Valerie Sandlas, Resident of Seneca Falls for 31 years, urged the passing of Local Law #3 which empowers the Board and the people; the Host agreement is not really binding so it cannot enforce a closure date. The Landfill cannot control the odor because it is too huge. We shouldn't negotiate any future Host Agreement as it only empowers Seneca Meadows. Mrs. Sandlas said they hold land on the east side of Route 414, and recently purchased more land on the east side; without a local law to close or expand the Landfill, they are free to expand. The current Local Law #3 establishes a closure date of 2025 which is more than ample time to come up with a plan. Mrs. Sandlas commended Mr. DeLelys, Mrs. Sarratori and Mrs. Lutz for their efforts. She again requested that the Board vote for Local Law #3.

Linda Ochs of Waterloo said she has smelled the Landfill for many, many years and over the years it has gotten worse. She agrees with all of the people who said pass Local Law #3; it is necessary. She said we will have other places to take our trash as we have the most landfills in the entire State. If we were to reduce, reuse,

recycle, that will cut down on the amount of waste that you have. Mrs. Ochs stated if we don't have Local Law #3, they will expand and they will get the trash by train which means they can bring it from just about anywhere in the United States cheaply. Taxes will go up to the rate that Waterloo is paying – it's not like it's going to be detrimental and you are going to lose your homes, and new businesses will come. Local Law #3, if enacted, would take us in the right direction. It's time to put a stop to Seneca Meadows. Please do the right thing.

Ralph Lott of Seneca Falls said he is against passing Local Law #3. Two people on the Board were never elected by Seneca Falls Voters, and were defeated when they did run for Election. Now they want to ram the Law through at the last minute that will triple the taxes paid in Seneca Falls. He believes the Election was a clear message that the Voters of Seneca Falls do not want the Landfill shut down at this time and in this way. While working on the Town Budget for next year, the Board made \$80,000 in Budget cuts. This is a joke - give up \$2.5 million in Landfill money and only cut \$80,000. The Town will have to sell all their assets to private businesses to generate even a small amount of the shortfall. In closing, Mr. Lott said he would like to know who wrote this Local Law. Paragraph 3 reads like an advertisement for Women's Rights, and Women's Rights is mentioned again in Paragraph 15. No other business or attraction is specified anywhere else in this Law.

James Mitchell of Waterloo thanked Mrs. Lutz, Mr. DeLelys and Mrs. Sarratori who introduced Local Law #3 and set the Public Hearing. Seneca Falls has been threatened with lawsuits and has been bombarded with questionable flyers in the mail, but you stood your ground. He is sorry Mrs. Lutz and Mrs. Sarratori didn't get elected, but we know the reason for that. Mr. Mitchell hopes the new Board Members will follow in their footsteps, and work for the people, not the Landfill. He supports Local Law #3; closing the Landfill will make the Finger Lakes a better place to live.

Jim Sandlas of Seneca Falls gave some statistics regarding tonnage received by the Landfill. He said passing Local Law #3 is the only chance of this Town ever closing the Dump. Host Agreements can be amended by three votes of the Town Board. The Dump has the capacity today, without expansion, to operate for the next 30 years. We have taken enough garbage. Mr. Sandlas stated pass Local Law #3 tonight and set a closure date – let's stop being a prostitute to the Dump.

Steve Churchill of Seneca Falls spoke in support of the passage of Local Law #3. The County Board is growing more concerned about the footprint and the impact on our region and Seneca County. There are a lot of negative impacts that we don't hear about, but they have their toll. In Seneca Falls, we hold the power to take that control back – it has been way too many years. He said the \$2.4 million was a bonus for many years, but we have to wean ourselves off the money – we cannot allow it to get worse. Mr. Churchill said they have a desire to come across Route 414, and are waiting for some Board to give them approval to start bringing in garbage across Route 414. The Landfill owns contiguous property from Black Brook Road to Powderly Road. They are buying land, chewing up soil and destroying this County.

Mr. Churchill stated what this Town is looking for is leadership. The Election has changed, but these people have all the authority – they are Councilpeople until December 31st, and they are doing the right thing. He urged the Board to make a decision tonight and pass the Local Law.

Michael Warren Thomas of Rochester stated his hope is that the Board will vote tonight. He used to work for the Center for Governmental Research who does tremendous research. They wrote the taxes would double, not triple. They were hired by Seneca Meadows to answer a very specific question, and Seneca Meadows got the answer they wanted. He is confident that Kent Gardner has laid out the worst case scenario because that is what Seneca Meadows wanted. Mr. Thomas requested that the Board pass this Local Law and protect the future of this historic Town – we can do better than trash.

Chris Lytle of Seneca Falls mentioned that he has called the DEC and has made calls to the Landfill relative to the odors. By the time 2025 rolls around, it's going to be a whole lot bigger than it is today; it's just too big to manage and the odor isn't going to be controlled. Mr. Lytle said 30% of the Town's Budget is dependent on Seneca Meadows which is a single source. He does fundraising, and what he does is to try to persuade non-profits not to take big money from a single source as they become dependent on it. That is exactly what has happened here. Mr. Lytle said it's really an issue of trash or tourism. He said the Board has the ability and authority to pass Local Law #3 – pass Local Law #3 and give us a fighting chance against the multi-million dollar corporation that is calling itself a good neighbor.

Bob Magill of Waterloo talked about the issue of Landfill gas. The EPA describes the gas as an essential nutrient for plants, animals and humans; it is nature's way of recycling carbon, CO2 and other nutrients into the atmosphere – the EPA considers it a source of energy and a nutrient. Mr. Magill said people have said Seneca Meadows is going to be as high as the Adirondacks – 7,000 feet high. There is a regulation that they cannot get any taller than the surrounding topography which gives them an elevation from sea level of about 735 feet. He was at the Meeting when this Board was informed that any Board that follows can repeal the Local Law. You can pass the Law tonight, but come January, all they have to do is repeal the Local Law and it's gone – all you are doing is political grandstanding.

John Patti of Waterloo stated this Law is warranted and just. He had a conversation with Mr. Black and said to control the odor, introduce oxygen into the garbage and the smell will go away. He suggested hiring employees to compost and recycle what is in there. As stuff comes in, compost and recycle that stuff; make a profit – sell the compost. Mr. Patti said if Local Law #3 or any law similar to that is not on the books, this Board and the people of this Community work from a position of weakness. Be smart – work from the position of strength.

John Garee of Seneca Falls talked about demographics of the County. Population decreased from 35,000 a couple of years ago to 32,000, and the majority of the population is older population. He said people are moving out of the County. He wants the Local Law to address the smell. They have had plenty of time to fix the smell, and they haven't mitigated that issue. Mr. Garee concluded by saying pass Local Law #3 to deal with the odors and leachate.

Kurt Anderson of Liverpool, Director of Development for Ducks Unlimited, stated their mission is to conserve, restore and manage wetland and associated habitats for North America's waterfowl. These habitats also benefit other wildlife and people. They were recently approved for their fifth \$1 million North American Wetlands Conservation Act Grant to benefit specifically the Montezuma Wetlands complex which requires at minimum a one-to-one match. To secure that \$5 million grant, they and 15 other partners offered (to secure that funding for Montezuma) \$5,473,000.00 of private money to leverage those dollars. Critical of their effort are major donors, one of which is Seneca Meadows.

Mr. Anderson said he is here in support of their partner Seneca Meadows whose corporate philosophy and personnel share the same values as you and I. Regarding this Local Law, he is not here to tell you to pass it or not. He is here in defense of their partner, and urged all to think beyond the superficial – the odors, the inconvenient traffic patterns and the speculative potential for air and water quality impacts - and focus on the tangible. Seneca Meadows is supporting local on the ground conservation with landscape level impacts on wildlife, water quality and quality of life for surrounding areas. Mr. Anderson said consider Seneca Meadows not a smelly, scary monster or adversary, but your partner in this Community and in conservation. They, too, live here, work here, invest here and care deeply about here.

Mark Benjamin stated this Local Law #3 is also bad public policy, and it says Seneca Falls is not open for business. Any piece of legislation that restricts commerce, restrains trade says you are not open for business. Any piece of legislation that puts hundreds of jobs at risk says you are not open for business. This Local Law says Seneca Falls is not open for business.

Douglas Zamelis, Environmental Attorney, Representative of Concerned Citizens of Seneca County and Waterloo Container Company, stated the Town's Budget is like a heroin addict and it has become accustomed and addicted to the smack that comes from Seneca Meadows, and unless you go cold turkey, you're just waiting for that next fix. He said the Dump smells; Mr. Black suggested that the Landfill is in compliance. He pointed out that there is a provision in the Town Code that prohibits any odors from crossing property boundaries. Mr. Zamelis said the Board has the authority to protect the health, safety and welfare of the people of this Community. He mentioned that this Local Law was originally modeled on the Local Law adopted by the Town of Carroll which was challenged, and the State's second highest Court upheld the Town of Carroll Local Law.

Mr. Zamelis stated this Local Law does not have to be referred to the County Planning Board as it is a police power law. Before you consider this Local Law, you have to satisfy your obligations under SEQR. It is an unlisted action, and since this proposed Law doesn't raise any potentially significant adverse environmental impacts, a negative declaration is appropriate. He said all you have to do is do SEQR and vote to adopt this Local Law just as the Board does with every other local law. Mr. Zamelis said on behalf of his Clients, his friends here and your land, air and water, he urged the Town Board to adopt a negative declaration under SEQR and adopt this Local Law.

Barb Reese, a Resident of Seneca Falls for 16 years, stated she has read Local Law #3, and the purpose of the Law is to restrict the number, location and expansion of solid waste management facilities within the Town of Seneca Falls. It is to protect the health, welfare, and safety of the Residents of Seneca Falls. She urged the Board to adopt the Local Law, and gave reasons why it should be adopted. It sets a firm end date of December 31, 2025 for landfill facilities. There are necessary exemptions for farming operations, sewage treatment plants and recycling, composting and reuse programs. Currently, there is 53 million tons of waste in place, but by the end of 2025, there will be an additional 19 million tons more. The landfill will double in size if we don't have a local law. Mrs. Reese stated she sees this as an opportunity. Local Law #3 gives the Board time to adjust their Budget and create new sources of revenue. Adopting Local Law #3 honors what is good here in our Town. It gives us back our dignity, and it gives us a sense of pride in our place. Please consider adopting Local Law #3.

Josephine Clare of Geneva stated Seneca Falls is receiving a substantial amount of money from Seneca Meadows, and should have to share the beneficial benefits with other communities which are negatively affected. Pollution is not static; polluted air moves – leachate finds its way into Seneca Lake, the source of their drinking water. She mentioned the need to minimize and deny the poisonous effect which hurts tourism. If we

want tourism and higher education, we have to act accordingly. Mrs. Clare implored the Board to make their decision to standards of intelligence, common sense and compassion.

Pam Lewis of Kingdom Road stated all this time and money was spent the last few months opposing Local Law #7; now, the Board is proposing Local Law #3. She said maybe it's because two Members of the Board were voted out and now they want to rush and get Local Law #3 passed. She thinks the decision was made on November 8th when the Community voted. Here we are again hearing people talk about the same thing with no facts. Ms. Lewis said this Board has turned people against each other instead of making the Community better. Employees of Seneca Meadows and people who are for the Landfill sat quietly and listened to all the people who are opposed to the Landfill. They have listened to people degrade the Employees of the Landfill and where they work and they did not speak out. Yet, when they speak in support of their jobs and the Landfill, they have to listen to people shout out at them. Ms. Lewis said if the Board passes Local Law #3, it will be preventing other businesses from coming here because taxes will have to be increased.

Susan Porter of Seneca Falls said she supports proposed Local Law #3 because it includes a firm closure date for the Landfill, a date that allows ample time for both parties to prepare. She supports the Law because the Town must chart its own destiny. We cannot rely on County, State or Federal agencies to curtail continued operation of a landfill that has become too big. Mrs. Porter thanked the Board for their time and service because it must be hard. We have a choice of settling for the status quo, or do our best to work on a new paradigm for Seneca Falls. She stated in her opinion, Local Law #3 would be the first step in that direction.

Allison Stokes of Rochester said she moved to Rochester to escape the odors of the Landfill. She referred to the pinnie she was wearing, and said to her, it is a symbol of Citizen efforts to pass Local Law #3 that will protect our basic human need for life giving air and water. She mentioned that we are a divided Community, and the Board is divided, too. Until there is some resolution on the controversial issue over Seneca Meadows closure, we are going to continue to be divided. Ms. Stokes gave a review of what has happened in the past year regarding this issue. She thanked Mrs. Lutz and Mrs. Sarratori who have a deep commitment to the people of Seneca Falls, and said it's on their watch that Local Law #3 must come to a vote.

Steve Wilsey, Principal with GHD, one of the World's leading Professional Service Companies, stated one of their services is providing engineering and environmental services to private and public sector clients. He has over 20 years of professional experience in the solid waste field across North America. Much of his work is centered on securing air permits for municipal solid waste landfills and evaluating air quality impacts. Mr. Wilsey has been doing this kind of work for Seneca Meadows since 1995. He addressed several of the findings in Section II of the proposed Local Law, particularly findings Nos. 8, 10, 14, 15, and 16 regarding pervasive regulation of Landfill air emissions. Seneca Meadows Landfill is regulated by Federal and State air regulations, all intended to assure the protection of the environment and public health and welfare. It operates under a Title 5 Air Permit issued by the NYS Department of Environmental Conservation. Mr. Wilsey gave a lengthy and detailed presentation relative to air quality pertaining to Seneca Meadows. He concluded by saying given the stringent air permitting regulatory regime by which Seneca Meadows Landfill operates and the air quality monitoring conducted, he sees no facts that support the air quality findings in the proposed Local Law.

Ned Ostojic, Director of Science and Engineering headquartered in Bloomfield, Conn. and a registered professional Chemical Engineer in the State of Connecticut, stated he was one of the Founders of the Order of Science and Engineering and odor is their specialty; all they do is work on odor problems. He referred to Section II of the proposed Local Law No. 3 which states "The inability of a factory science to precisely ascertain the existence, origination, and severity of odors in the Town due to ever changing meteorological conditions makes it very difficult to accurately determine, record, control or predict the extent to which odors that emanate from solid waste management facilities may constitute harmful environmental pollution, or to remedy or mitigate such conditions". Mr. Ostojic finds the statement to be in direct contradiction with the experience of gaining some 40 years of working in the field of measurement and control. After a lengthy presentation, Mr. Ostojic stated he believes finding No. 11 has no basis in fact and cannot appropriately be used to support the proposed Local Law.

Robert Holmes, licensed professional Engineer in the State of New York who has been practicing in the civil engineering and consulting field for 22 years, and employed by Cornerstone Environmental Group, stated his principal areas of work is in site civil design and solid waste management facilities. He is making statements tonight to address those sections contained in the currently pending Town of Seneca Falls Waste Disposal Law that imply that waste management operations within the Town of Seneca Falls have effects on surface water quality. Ten years' worth of semi-annual, annual and other technical reports addressing the robust water monitoring and pollution prevention activities that occur at the Seneca Meadows facility have already been submitted to the Town. Surface water monitoring is conducted in accordance with an environmental monitoring plan at the site, and a site analytical plan approved by the NYS Department of Environmental Conservation. Mr. Holmes stated since the realignment of Black Brook for the ongoing facility operations, surface water quality data is obtained on a quarterly basis at four locations; in addition, eight sediment samples are collected adjacent to each of the surface water locations. After a lengthy presentation, Mr. Holmes stated Seneca

Meadows has consistently maintained an aggressive and pro-active program to monitor and protect surface water from ongoing operations. Based on his professional experience, it is his opinion that surface water data collected to date, which has been fully reviewed by the DEC, clearly indicates that there have been no impacts of surface water from the ongoing facility operations.

Tim Roeper stated he is a licensed professional Geologist who has been practicing in the environmental consulting field for approximately 34 years and employed by Cornerstone Environmental Group, with his principle areas of work in hydrogeology characterization of solid waste facilities and industrial contaminated sites. He addressed those sections contained in the pending Town of Seneca Falls Waste Disposal Law that imply that waste management operations within the Town of Seneca Falls have deleterious effects on groundwater quality. Mr. Roeper stated Seneca Meadows has consistently maintained an aggressive and proactive monitoring program to protect groundwater from ongoing operations and also from the Tantalio disposal area which was operated by another unrelated entity. After a presentation regarding the environmental monitoring program, Mr. Roeper stated based on his professional experience, it is his opinion that the groundwater data collected to date, which has also been reviewed and approved by the DEC, clearly indicates that there have been no impacts to groundwater from the ongoing facility that is operating in accordance with Part 360 regulations, and historic impacts associated with prior owners have been contained on the property and have been improving over time.

Stuart Rossell of Newark, New York stated he operates American Falconry Services, LLC which provides vector control services to three waste management facilities in the United States, including Seneca Meadows. His business primarily includes the use of falcons which are a natural predator to gulls and other birds to control their presence at and around solid waste management facilities. Mr. Rossell summarized his education, training and experiences pertaining to falconry. He addressed those sections contained in the pending Local Law that imply that waste management operations within the Town of Seneca Falls have deleterious effects on the wholesome and attractive environment for the Community. His Company owns the largest collection of trained falcons, specifically trained for bird abatement. Falcons are an exceptionally effective method of controlling gulls at waste management facilities, and the use of falcons is regulated by the Fish and Wildlife Service and in New York by the DEC. After a lengthy presentation, Mr. Rossell summarized by saying Seneca Meadows is the first waste management facility in New York to utilize this highly effective method, and is currently operating the largest falcon program than any waste management facility in the United States. Based on his professional experience, Mr. Rossell said Seneca Meadows' program of gull control goes above and beyond what he has seen in other solid waste management facilities in the U.S.

Mr. Morrell state at this point, it concludes the Public comment portion of the Hearing. The Board has the Local Law before it, and a Public Hearing was conducted. It does require review under the SEQRA Act; the Board is required to take a hard look at the action and determine its environmental significance. Mr. Morrell said this is something that is not before the Board at this time, and the Board will not be able to conduct this review this Evening. Mrs. Lutz stated she has Part I and II of a Short Environmental Assessment Form to hand out to the Board. Mrs. Lutz proceeded to read through the Short Environmental Assessment Form Part I (Project Information) and Part II (Impact Assessment), and answered questions in Part II.

Mrs. Lutz made a motion to adopt Part I and Part II of the Short Environmental Assessment Form for the proposed Local Law, seconded by Dave DeLelys.

Mr. Morrell stated what the Board is being asked to determine is – you have gone through Part II; Part II directs your inquiry into the various topics where an action of the Town Board could impact the environment. What you are being asked is – having considered these different areas, whether or not the action will have a significant adverse impact on the environment based on the action of the Town Board. If Part II is adopted as is, you have not identified any moderate or large impacts - that would be a positive declaration. Mr. Morrell stated before the Board does the determination, the Board should designate itself as lead agency.

The above motion made by Annette Lutz and seconded by Dave DeLelys to adopt Part I and Part II of the Short Environmental Assessment Form for the proposed Local Law was carried 3 ayes, 1 nay; Councilman Porretta with the dissenting vote.

A motion was made to designate the Town Board as lead agency for SEQRA relative to proposed Local Law #3 by Dave DeLelys and seconded by Annette Lutz. Motion carried 3 ayes, 1 nay; Councilman Porretta with the dissenting vote.

Mrs. Lutz stated she has a copy of a Resolution relative to a negative declaration which she proceeded to read. A copy of the Resolution is attached.

A motion was made to adopt the attached Resolution entitled “Resolution of the Town of Seneca Falls Town Board issuing negative declaration pursuant to the State Environmental Quality Review Act for the proposed Waste Disposal Local Law”, by Annette Lutz and seconded by Dave DeLelys. Motion carried 3 ayes, 1 nay;

Councilman Porretta with the dissenting vote.

Mrs. Lutz stated the Board will be meeting on December 6th, and at that time, she would like to propose that the Board vote on the proposed Local Law because it will have time to look at everything. She would like to be put on the Agenda to vote on the Local Law.

Being there was no further business, a motion was made to adjourn the Meeting by Vittorio Porretta and seconded by Dave DeLelys. No questions. Motion carried 4 ayes, 0 nays.

Meeting was adjourned at 10:40 P.M.

Respectfully submitted,

NICALETTA J. GREER
Town Clerk

The Seneca Falls Town Board held a regular monthly Meeting on Tuesday, December 6, 2016 in the Town Hall Meeting Room, 81 W. Bayard Street.

Present were Supervisor Gregory Lazzaro; Councilpersons Mary Sarratori, David DeLelys, Annette Lutz and Vittorio Porretta. Also present were Patrick Morrell, Attorney for the Town; James Spina, Commissioner of Parks and Recreation; Dean Zettlemoyer, Zoning Officer; Stuart Peenstra, Police Chief; James Peterson, Highway Superintendent; Joseph Tullo, WWTP Operator; Stephanie Holtz, Assessor; and John Condino and Peter Baker of Barton & Loguidice.

Supervisor Lazzaro called the Meeting to order at 6:00 P.M. A roll call was taken of Board Members and all were present; the Pledge of Allegiance followed.

At 6:05 P.M., a motion was made to go into Executive Session relative to a personnel matter concerning possible appointment of Town Engineers by Greg Lazzaro and seconded by Mary Sarratori. No questions. Motion carried 5 ayes, 0 nays.

A motion was made to reconvene the regular monthly Meeting at 7:20 P.M. by Greg Lazzaro and seconded by Dave DeLelys. No questions. Motion carried 5 ayes, 0 nays.

Petitioners: There were no Petitioners.

Approval of Minutes:

A motion was made to approve the minutes of the Budget Workshop of October 18, 2016, Budget Workshop of October 19, 2016, Budget Workshop of October 26, 2016 and Public Hearings and Meeting of November 1, 2016, by Dave DeLelys and seconded by Mary Sarratori. No questions. Motion carried 5 ayes, 0 nays.

Reports:

Dog Control Officer: A motion was made to accept the Dog Control Officer's report by Greg Lazzaro and seconded by Mary Sarratori. No questions. Motion carried 5 ayes, 0 nays.

Zoning Officer: A motion was made to accept Mr. Zettlemoyer's report by Greg Lazzaro and seconded by Annette Lutz. No questions. Motion carried 5 ayes, 0 nays.

Commissioner of Parks & Recreation: A motion was made to accept Mr. Spina's report by Greg Lazzaro and seconded by Mary Sarratori.

Mr. Spina stated they are getting ready for the big weekend (It's a Wonderful Life). Mrs. Lutz asked about the Bridge lights. Mr. Spina replied the lights were completed today; tomorrow, the Engineers will be here to program them, and they will be lit tomorrow night.

The above motion made by Greg Lazzaro and seconded by Mary Sarratori to accept Mr. Spina's report was

