

Town of Seneca Falls Waste Management Advisory Committee
Meeting Minutes
02/13/17

CALL TO ORDER The Waste Management Advisory Committee (WMAC) held a regular meeting on Feb 13, 2017 at the Seneca Falls Town Offices. Town Supervisor and committee chair Greg Lazzaro called the meeting to order at 4:36 pm. Member Barb Reese recorded the minutes. Minutes of the 01/09/17 meeting were approved as submitted. Members present: Matt Blair, Dave Clark, Greg Lazzaro, Dave Pannucci, and Barb Reese. Guests: Dan Babbitt, Town Attorney Pat Morrell, Town Enforcement Officer Dean Zettlemoyer

UNFINISHED BUSINESS

INDEMNIFICATION – Town Attorney Pat Morrell explained, as per Chapter 24. Defense and Indemnification from the Seneca Falls Town Code, that as members appointed to the WMAC committee we are treated as employees and are indemnified as long as we are performing the duties as specified for the committee in the town code. Acts committed outside of the specified duties will not be covered. Current insurance covers public officials up to \$1 million per person, with a \$2 million aggregate and \$2,500 deductible (on town). Dave Clark suggested that the town may want to consider more insurance coverage for its employees.

ARTICLE 78 LAWSUIT – On Feb. 3, 2017 Seneca Meadows filed a lawsuit challenging the judgment of the town and the Town Board over its approval of Local Law 3 of 2016 - The Seneca Falls Waste Disposal Law. The lawsuit seeks to declare Local Law 3 null and void. As per the indemnification discussion above, town and town board members are indemnified as long as they are performing duties as specified.

DISTINGUISHING LOCAL LAW 3 of 2016 FROM CHAPTER 185 LANDFILLS AND CHAPTER 300-21 ZONING M-2 REFUSE DISPOSAL OF SENECA FALLS TOWN CODE – Barb Reese asked for clarification of Local Law 3 of 2016 with current town code regulations regarding landfills and expansions. Current Seneca Falls Town Code allows for landfills and expansions in the town of Seneca Falls in the current M-2 refuse disposal district and allows future town boards to consider expansion outside the current M-2 refuse districts pending State Environmental Quality Review Act, Article 8 of NYS Environmental Conservation Law. Local Law 3 restricts the number and expansion of landfills, but exempts Seneca Meadows through Dec. 31, 2025. Local Law 3 gives an end date for landfill operation in the Town of Seneca Falls, while the other parts of the town code do not.

IS LOCAL LAW 3 A VIOLATION OF HOST AGREEMENT OR NOT?

Barb Reese questioned Town Supervisor Lazzaro's comment at the Feb. 7 2017 town board meeting that Local Law 3 is a violation of the current host community agreement with Seneca Meadows Landfill. Supervisor Lazzaro's interpretation of the host community agreement is that Local Law 3 is a violation of the agreement. Town Attorney Pat Morrell does not believe Local Law 3 is a violation of the current host community agreement because it allows Seneca Meadows to continue operating through the end of 2025.

PERMITS – Town Code Enforcement Officer Dean Zettlemoyer confirmed that he does not monitor compliance with permits related to waste management facilities in the Town of Seneca Falls because most of the permits are issued by State and Federal Agencies. The exception is the issuance of the annual town permit to Seneca Meadows Landfill which is issued by the town board. This permit expired August 2016 and has not been renewed, pending review and completion of odor mitigation programs.

Barb Reese has submitted a FOIL request with the NYSDEC to obtain current state and federal permits relating to all waste management facilities in the town of Seneca Falls. WMAC members agreed that this committee should compile a list of permits so that we are aware of them. Pat Morrell believes there should be a way to find a list of permits at least where the town is the applicant. Matt Blair is willing to help with this endeavor. Dean Zettlemoyer confirmed that the NYSDEC monitors waste management facilities and waste water treatment plants, while the health department also monitors some permits.

TOWN OF SENECA FALLS SEWER UPGRADES AND WWTP - Dave Pannucci contacted Town Engineer, Mr. Condino of Barton & Loguidice, to inquire the following regarding the current sewer project and the Town WWTP: 1. What is our capacity now? 2. What will it be when everyone is on-line? 3. Can our current plant handle it? 4. What is the Safety factor that was designed for? 5. Are there future plans for upgrades to handle the increased flow? Dave is waiting for a written response from Mr. Condino regarding these questions.

RECYCLING - Dave Clark gave follow up from Cardinal Recycling Operator Joe Gibson regarding recycling totes (also included in January 2017 minutes).

E-WASTE – Barb Reese called Seneca County Department of Environmental Health to inquire about e-waste and household hazardous waste collection plans for 2017. Jennifer Bates and Julie Hoster do the planning and implementation of the HHW day. They rely on Seneca Meadows Landfill to take e-waste and tires. The NYSDEC reimbursement is 50%. The annual Seneca County-wide collection is held in Romulus in Oct. or Nov. They do not take tires, e-waste or pharmaceuticals and schedule by appointment only.

NEW BUSINESS

SENECA FALLS CLIMATE SUMMIT – Barb Reese announced that Mynderse Academy is hosting a climate summit for high school students grades 9-12, college students, community members, and government leaders on Thursday, March 16 from 1 pm – 6 pm at Mynderse Academy. Details and registration are available on the news tab of the school district website.

ADJOURNMENT The meeting was adjourned at 5:42 pm. Next meeting will be Monday, March 13, 2017 at 4:30 pm at the Seneca Falls Town Office.