

TOWN BOARD  
NOVEMBER 17, 1993

A special meeting of the Town Board of the Town of Bethlehem was held on the above date at the Town Hall, 445 Delaware Avenue, Delmar, NY. The meeting was called to order by the Supervisor at 9:00 a.m.

PRESENT: Kenneth J. Ringler, Supervisor  
Frederick C. Webster, Councilman  
Charles Gunner, Councilman  
Sheila Fuller, Councilwoman  
Bernard Kaplowitz, Esq., Town Attorney  
Kathleen A. Newkirk, Town Clerk

ABSENT: M. Sheila Galvin, Councilwoman

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SUPERVISOR RINGLER: Like to call a special meeting of the Bethlehem Town Board to order. The purpose of this meeting is to consider a proposed order on consent issued by the Department of Environmental Conservation with regard to our North Street facility. If the Board recalls, the Town had forwarded an application to permit this site for continued use for yard waste disposal. After meetings with staff at DEC, their recommendation was rather than going through that process, that after listening to the goals of both parties and eventually closing this site, that this be done on an Order on Consent as opposed to going through a permitting process. You have had a chance to review this. Bruce, would you go over the specifics of what the schedule of compliance talks about in this particular document.

Special  
Meeting  
Consider  
proposed  
order of  
consent  
North St.  
Facility

MR. SECOR: The application that we submitted to the DEC was this binder and there is a copy on file with the Town Clerk. These exhibits in here about the drawings. Basically what that was a closure plan for closing the area that is currently being used or has currently got yard waste in it. There is a clay berm or clay mound here in the middle which was part of the original leased area which the Town leased with the idea of using that clay to put the cover on the yard waste material.

Our closure plan and these are the contours that we had in the closure plan, the closure plan anticipated importing enough yard waste to get grades so that we can have the dome shape or the round shape that we need for the top of this so that the clay cap acts like a roof to prevent leachate generation problems. The minimum slopes that are allowed by the DEC are like 2 percent. The problem is over time when you have organic materials, yard waste, brush, whenever that material starts to settle will start off as a very gentle slope, turns into a pond. So, you are using a clay cap, the next thing you know you have water pockets.

So, our plan was to develop a slope more than the 2 percent so that we would have a safety factor in there to slope this off. What this Order on Consent asks us to do is to really amend these drawings. We are going to have... there are a series of dates in here for schedules to sit down with the DEC. We are going to have to amend the closure contours, reshape these a little bit so we still have the shape that we need for the dome cover and incorporate that over the next... in the time period allowed here. What they are talking about is receiving waste in 1994 and at the same time, beginning developing our yard waste composting facility which the Board has already incorporated in the budget which was adopted for this year. It was recommended by the Solid Waste Task Force, put into the Capital Improvements portion of the budget. It is part of the budget document the Board has already gotten.

Because of the siting analysis permitting process that we have to go through for the yard waste composting facility, we anticipate using 1994 to develop the plans and go through the process for the permits. This order gives us 1995 to construct the facility and at the end of '95 when the new facility is ready, you then stop receiving waste at North Street and begin the closure. Because we anticipate the end of '95 before we will be able to start putting

clay on, we will not be able to get top soil and seeding done in '95, so the closure plan gives us until '96 to finish the remediation work here at the site.

Again, there is a whole series of dates in here from when we meet with DEC to come up with a closure report, when we are going to design this, when we are going to submit the application for the new yard waste composting facility. The schedule is something we think we can comply with. It does mirror what the Board has done as far as the budget process so that there is no new impact on the budget we just adopted because we had intended to do this work anyway.

The closure we are anticipating since the clay is on site, will not mean getting a fleet of trucks to haul clay from the south end of the Town to here, the clay is right here so it just becomes an operation of moving clay, placing it, compacting it and grading it.

SUPERVISOR RINGLER: Questions from the Board?

COUNCILMAN GUNNER: That doesn't affect snow at all?

SUPERVISOR RINGLER: It does not affect snow, snow is not controlled by DEC. Entertain a motion to authorize the Supervisor to sign the Order on Consent.

The motion was made by Mr. Webster and seconded by Mr. Gunner to authorize the Supervisor to sign the Order on Consent from the New York State Department of Environmental Conservation. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Mrs. Fuller.  
Noes: None.  
Absent: Ms. Galvin.

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SUPERVISOR RINGLER: Thank you all. Entertain a motion to adjourn.

The motion was made by Mr. Webster and seconded by Mr. Gunner to adjourn the Special Town Board meeting at 9:04 a.m. The motion was passed by the following vote:

Ayes: Mr. Ringler, Mr. Webster, Mr. Gunner, Mrs. Fuller.  
Noes: None.  
Absent: Ms. Galvin.

*Kathleen A. Newkirk*  
Town Clerk