

Minutes

Village Board of Trustees

October 13, 2009

A **Special** Meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m. Present were:

Village Board and Staff:

Mayor Donald Zeigler
Trustee Ronald Swartz
Trustee Walter Herbst
Trustee George Koliwasky

Village Attorney John Groff
Manager's Assistant Rachel Baer

Others:

Glenn Harvey, Bergmann Assoc.
Andy Drake, Corning
Dan Mathews, Horseheads
Valorie Rohver, Horseheads
Roger Mathews, Horseheads
Jack Healey, Horseheads
Ray and Lori Cass, Horseheads
Jill Lewis, Big Flats
Mike Sincock, Pine City
John Sincock, Elmira
Dave Blauvelt, Erin
Steve Singerhoff, Waverly
Joseph Wood, Elmira
Don Casselbury, Waverly
Mike Manzari, Corning
George Miner, STEG
Doug Fuess, Hanson
Kevin Kessler, Horseheads
Randy Heckman, Corning
Bryan Howell, Dundee
Dan Porter, Hornell
Mike Swasta, Horseheads

Tess Banfield, Horseheads
Barb Skorczewski, Horseheads
Marilyn Lee, Horseheads
Asher Terwilliger, Baldwin
Bonnie Chollet, Horseheads
Hal and Janet Smith, Bath
Frank Patterson, Van Etten
Carol Ransom, Van Etten
Mark and Julie Spicer, Horseheads
Maureen Ferrell, Erin
Peter and Patricia Ladley, Elmira
Tony Michalko, Horseheads
John Breese, Horseheads
Jean Quinn, Gardner Rd.
Leslie Potter, Erin
Don Kraft, Sheet Metal Workers
Joe Congdon, Sheet Metal Workers
Bill & Tess Danaher, Horseheads
Lisa Gole, Horseheads
Ellen McHugh, Horseheads
Katrina Ungvarsky, Horseheads
News Media

Schlumberger - Public Hearing on Site Plan

Atty. Groff declared open hearing a Public Hearing regarding site plan review for the Schlumberger application.

Helen Slottje, Ithaca - I am here as an individual and with a group. I suggest the Board determine whether most fundamentals of zoning code have been met. Also whether the Code

Enforcement Officer has received a completed application, and whether that has been turned over to the Board. Also, whether a Certificate of Occupancy has been issued for temporary project which has escaped environmental review.

Valorie Rohver, Ridge Rd. - The proposed stockade fence won't stop anything. It will rot. Not effective. Its unacceptable. I looked at documents on the cd. Studies you did on noise only capture some noise. Not any grinding gears, loading equipment, convoys coming and going. That can't be recorded until this site is up and running. Pollution, been to truck stops and can't stand smell of diesel. This will become an odor issue. They are talking about 100 trucks a day. Pools of water next to a swamp. We already has mosquito problems. The warehouse that is going to contain toxic materials, those are nasty chemicals. It is surrounded by residential area. Who on earth thinks this is a good idea. I don't see any common sense here. On the blast zone, what if there is a chemical fire, combination of chemicals in warehouse, I live right there. I want barrier against this. There should be an emergency plan for residents and for the school.

Ray Cass - at the last mtg. I requested this hearing be moved to a different location.

John Berger, Tompkins Co. - we all share same air, water, etc. So many problems we are facing on a big scale, when its happening here there are reasons not to approve. In the midwest due to farming practices, fertilizers are washing down Mississippi river.

Atty. Groff stated that this hearing is regarding the Site Plan for Schlumberger. All comments should be kept to the site plan.

Maureen Ferrell, Erin - we talked to DEC on the most recent revisions. Trying to take time to analyze these recent revisions, I don't understand need for haste. I talked to DEC and they don't know about multi-sector permit. Need all the facts in place. Deeply concerned that we are under economic blackmail by this company. What will they treat this Village like then.

Michael Sincock, Pine City - The Holding Point is industrial. The Board and Schlumberger have gone through efforts to be sure there won't be environmental concerns. I don't see about mosquitoes - you won't get from this site. I'm in the construction industry. I know the great lengths these companies like this go to. This is a site where chemicals are going to be stored and distributed - not produced. Not drilling. Its in good proximity to highway. They may have 100 trucks, but they won't be idling all at once. They will be dispatched all over. They will come and go. The environmental issues have been overblown. We should be honored to have them here. Great opportunity for Horseheads and Chemung Co.

Randy Hickman, Steuben Co. - I agree, I thank Schlumberger for picking this area - everyone looking forward to these opportunities. A lot of extra measures for safety - good people, we need these jobs.

Susan Molter, Watkins Rd. - at the July 28 Planning Board meeting, when they were first about to approve site plan, Andy Avery from the County requested a new traffic study. Mr. Avery called me to say new study should include estimates of traffic at completion, but also at 10 yr and 20 yr. - I hope they are in new study. Also, when Planning Board recently recommended approval of the first site plan it was contingent upon economic analysis. I have not heard of this outstanding report. Hope you will find out. Friday I was on Ithaca Road and was quite surprised to see green truck going into Holding Pt. Had "residual waste" on it. It was on Schlumberger

property. I have no idea what this is. Will you require Code Officer to make unannounced spot checks at all times during the day to keep track of what is going on.

Sue Warner, Village resident - I've done business with Schlumberger. Economy is bad and we need jobs. Too much to throw away. As far as diesel, I'd be more concerned with route 86.

Pam Quattrini, Ridge Rd. - Holding Pt. has had a lot of businesses come and go. This site is on top of aquifer that runs in two directions. If we don't have jobs now, what will we do when we don't have water.

Mr. Terwilliger, Lowman - President of Farms Bureau. In a recent edition of Newsweek Magazine, they listed the 500 greenest companies. Schlumberger comes in at 118. Corning Inc. comes in at 352. So now are we protesting Corning? Schlumberger is a good company. I've studied this industry. Schlumberger is a good addition. There are those I wouldn't welcome. PA shut down one company. Cabot and Hailburton doing fracking. We are getting a good company coming here.

Bonnie Chollet, Latta Brook Rd. - I was informed in July that this decision was already made. All we are asking is to slow down the process and to do a thorough environmental review.

Atty. Groff again reminded everyone that their comments should be regarding the site plan only.

Bonnie Chollet - site plan is about environmental review. You have toxic chemicals, radioactive materials, explosives, etc.

Lisa Gole, Meadowlark Dr. - I don't understand how site plan can be separated from environmental issues. Its next to ballfields. Environmental study has to be considered as part of the site plan.

Betty Eck, Horseheads - when will decision be made on the EIS?

Atty. Groff - there were several hearings on the SEQR review. Decision was made last week where a Negative Declaration was issued by this Board as Lead Agency. This hearing is just about site plan of the project.

Mrs. Eck - site plan should not be separated from environmental. I ask you to do an EIS. Might supply jobs, but the lure of quick money. EIS might take 8-12 months.

George Miner, STEG - I commend Trustees and Planning Board for their time and commitment in making this thorough comprehensive review of the site plan. I know the Village has shared and coordinated information with other agencies - USDEC, USACOE, Fish and Wildlife, DEC, Office of Parks and Rec., DOT, County agencies, etc. Those are experts who have reviewed this and given comments. Very comprehensive. Our sincere appreciation for thoroughness of review. Never before has this region been faced with an economic opportunity like this. We have to work hard to retain jobs. We need this investment. We are grateful they selected Horseheads.

John Tesich, Tioga Co., I thought Schlumberger had already built some of these facilities. If so, then why did they send in last minute changes. If they are such a good company, how is it that they overlooked these obvious points.

Mitch Youngling, Van Etten - curious about why you don't know how large storage facilities will be on this site, if you are this close to approving the site.

Mike Swasta, Watkins Rd. - by granting a permit for the temporary facility you have given Schlumberger tacit approval. Before doing SEQR review. Without legally required environmental approvals in place, Village has ignored Village code which required environmental approvals to be in place before construction. On flood insurance rate map, Zone x, areas determined to be outside 500 yr. Flood plain. FEMA map is in zone x, but the FEMA map designed this area as part of the 500 yr flood plain which in a 100 yr flood may expect flood waters up to depths of 1 ft. during floods. Then chemicals can enter environment. This risk must be given appropriate consideration. May adversely effect discharge of stormwater. On fence, conceptual site plan shows fence proposed on property line which means outside maintenance must be made from adjoining property, but its not on the site plan review documents. Fencing will be over 6 ft. Has a variance been sought.

Jack Sincock - I am in favor of Schlumberger. We live by rules. This poor company has to jump through so many hoops. Should worry about rail trains that shift 6 cars of propane through the Heights. Don't worry about Schlumberger. We need the jobs.

Lori Cass, Redwing Lane - need question and answer. A lot of public hearings. But there should be a time to ask questions in our minds. We've never had an opportunity to do this. What about homeland security measures.

Julie Spicer, Bowman Hill Terrace - many problems have to do with EIS. The term that is used is mitigate. To mitigate is to make or become milder - less severe. Doesn't take problem away. Just makes it less of problem. Anything from this site that is supposed to be mitigated, won't catch everything. Harm is still there. Aquifer is important to Horseheads and Chemung Co. Mitigation is not the answer.

Kevin Keeley, Chamber of Commerce - I have never seen a company go to such lengths to accommodate wishes of community. That is in 35 years. The company is not making changes to mitigate problems, its making changes to accommodate desires of community. That makes a difference to me. They are a company with credentials. In looking at site plan, its not just that they've met the rules, they have gone beyond. What they are doing is enhancing the site. This site has been stagnant for so long. Given the efforts that Schlumberger has taken for this site, it has all enhanced the site. Have not seen community devote more integrity and character to doing this job right.

Tess Banfield, Catalpa Dr. - what is their argument, why don't they agree to what the residents are asking them to do.

Katrina Ungvarsky, Orchard St. - should think about next generation.

Rick Eck, Prospect Hill - should have baseline testing on soil, and follow up yearly, etc.

Ruth Young, Horseheads - can't tell size of petroleum facilities, or other chemical facilities. Would like questions answered.

Dave Blauvelt, Erin - represent construction electricians. This company is leaving 26 acres

open for wildlife. I'm fully in favor. I complement the Board on due diligence.

Ellen McHugh, Hancock Dr. - vested in community, would love to see this community prosper economically. I have a personal financial interest to allow gas drilling to occur. I cannot do that in good conscience. As a pediatrician the more I know about this particular site, the more I don't know. Concerned about health of children.

Nobody else came forward. Atty. Groff declared the public hearing closed.

Motion by Trustee Herbst that considering the material presented tonight I move we adjourn until Thursday, October 15th at 5:00 p.m. for our determination. Motion seconded by Trustee Swartz.

Roll Call Vote:

Mayor Zeigler: Aye

Trustee Swartz: Aye

Trustee Herbst: Aye

Trustee Koliwasky: Aye

As there was nothing further to come before the Board, the meeting was adjourned at 8:15 p.m.

/rmb