

Informational Meeting  
November 29, 2011  
7:00 P.M.

Present: Supervisor Gerald L. Deming, Council Members: Lynn Parnell,  
Norman Gates, Frank Rose Jr. and David Deuel

Absent: None

Others: Ronald Cicoria (Town Attorney), John Noble (Synergy Facilities), David Stafford (Business Manager, RL Jeffres), Father Jerome and Kevin Baker (Abbey of the Genesee), Andrew and Shirley Schwan, Carol and John Taylor, Bonnie and Don MacLeod, Mike LoBello, David and Nora Sperino, Martin "Tom" Wiest, David Russo, Ron and Kathy Copeland, Lawrence Smith, Harold "Skip" Smith, Mark and Lynne Amorese, Jerry and Barb Ayers, Laurie Amorese, Steve Gates, Carol and Warren Kime, Christopher Noble, Lee Gratwick, William Lubanski, Kirk Richenberg, Davies Nagel, Thomas Gates Jr., Deborah Cisco, Marta Burroughs, Francis Burger, Larry and Dorothy McClurg, Lewis Price, Francis "Sonny" Pascuzzo, Roberta MacLean, Ned Edmonds, Greg Martin, Carl Peter, John Morgan, James Templeton, George Worden Jr., Chris Ward, Laurie Schneider, Jean Williams and daughter, Jason Swede, Robert and Diana DeAnthony, Theodore Andrews, Sanford Vreeland, Grayce Mingrino, Officer Matthew Orman

Supervisor Deming opened the Public Informational Meeting at 7:00p.m., by briefly explaining the proposal made by RL Jeffres and Sons to the Abbey of the Genesee to construct a 4 million gallon storage lagoon on their property located on Craig Road in the Town of York.

Mr. Deming introduced the panel of representatives this evening, John Noble (Synergy Facilities), David Stafford (RL Jeffres), Father Jerome and Kevin Baker (Abbey of the Genesee). Mr. Deming stated Mr. Noble and Mr. Stafford will give a detailed account of the proposal and their roles in this process. Once the information has been stated, comments and questions will then take place.

Mr. Noble began by explaining that the last ten years he and several local farms have been seeking information, with the ultimate goal to be as efficient as possible in farming practices. Mr. Noble stated he and his family have been in the farming business for over 200 years and hope this process can be another way of enhancing that. Mr. Noble stated Synergy, LLC was formed in 1999 for the purpose of providing a large-scale production partner to the bio-pharmaceutical and nutraceutical industries for companies interested in deriving products from the bovine species. The partners evolved the concept in order to act effectively on the resources of the NE agricultural area. The thought was if we could bring together large scale dairy and field crop businesses, Synergy could potentially obtain efficiencies. In addition to two local dairy farms, Southview Farms and Broughton Farm Operations, crop farms, Gary Swede Farms and RL Jeffres and Sons joined Synergy in the fall of 2004 as partners. Mr. Noble stated

Synergy believes profitable agricultural production is achieved by being good stewards of the land and the continued positive relationships with their community. Mr. Noble commented at their family farm Noblehurst, they constructed a methane digester which converts methane gas from cow manure, into electricity. The majority of the electricity produced is used right at the farm with additional electricity sold to surrounding customers, ultimately reducing greenhouse emissions from methane.

Mr. Noble stated an anaerobic digester and renewal energy facility was built in the Town of Covington, Wyoming County. CH<sub>4</sub> Biogas, LLC constructed the project and now of the 16 digesters in New York State, four are located in Wyoming County. In addition to producing renewal energy, the facility reduces greenhouse gas emissions from the farm, diverts organic waste from landfills and reduces manure odors.

Mr. Stafford stated he is the Business Manager for RL Jeffres and works closely with Synergy in this process. He manages the CAFO (Concentrated Animal Facility Operation) Plan and manure handling logistics for Synergy Farm.

Mr. Noble stated in regards to a permit for the proposed liquid manure storage lagoon, DEC does not require an approval process. If the farm is permitted by State Pollutant Discharge Elimination System (SPDES), there is no requirement he is aware of for notification of this type of activity. If the farm is permitted under the Environmental Conservation Law permit, advance notification must be sent to them regarding the construction or expansion of waste facility larger than 1 million gallons. Even though there is not an actual approval by DEC the permittee is required to document their plans. Mr. Noble added, DEC staff can make routine inspections, review the construction plans and operation and maintenance activities. Mr. Noble commented what is being proposed is a 4 million gallon storage lagoon, which is equivalent to a football field in size including the end zones. The objective is to locate an area of ground appropriate in size as well as suitable for the liquid manure, area where no leakage will take place. Mr. Stafford stated the area on Craig Road seemed to be the most logical location for the lagoon. To date, the area has had test holes dug with preliminary data looking favorable but no official results have been calculated, and should be available within a few weeks. Mr. Stafford stated he is aware of the traffic concerns expressed this evening but commented trucking is the most practical method for transporting the product to the site. The plan is to fill the lagoon twice per year, in the winter and then in the spring/summer time frame, thereafter we would apply it to the fields with a drag line. Two land applications would occur each year, one before spring planting, the second in the fall after harvest.

#### QUESTIONS/COMMENTS

1) Robert DeAnthony – (a) How long will it take each time?

**\*Response:** Mr. Stafford stated we anticipate trying to run 6 trucks per day continuously for 5 days.

(b) Will this be hauled out as well as hauled in?

**\*Response:** Mr. Stafford stated we may have to haul out at some point, but the main intent is to haul it to the lagoon and then spread with the drag line.

- 2) Frank Burger: Will the manure be spread completely on Abbey property?  
**\*Response:** Mr. Noble stated our goal for a small satellite lagoon is to keep it on Monastery property, which we should be able to do.
- 3) David Sperino: We currently endure a great deal of manure smell in our township which I feel is pollution, proposing a lagoon in our area would only magnify the odor, which I feel is a horrible idea.  
**\*Response:** Mr. Stafford stated he is unaware of the current conditions, but stressed once the waste is processed through the digester most odor is removed and along with the design of the lagoon itself, odor should not be a factor.
- 4) David Russo: We seem to be getting odor from all directions, what if any benefits does the Town receive?  
**\*Response:** Mr. Deming stated the Town does not receive any financial benefit.
- 5) Martin Wiest: Where does the electricity go and who actually benefits financially from it?  
**\*Response:** Mr. Noble responded the electricity goes to the grid, and the people who built the digester receive the profits.
- 6) Diana and Robert DeAnthony: The truck numbers you have given us do not seem to match up. 800 trucks down Main Street (RT.36) and Craig Road are ridiculous amounts of traffic on an already overly run highway. This area can't encompass those additional trucks, very dangerous.
- 7) Harold Smith: With the construction of a lagoon, potential additional manure smell plus increased truck traffic, what will this do to our property values?
- 8) Martin Wiest: After what I've heard I don't see this project as a benefit for the Town of York.
- 9) Carol Kime: What about residents who have well water on Craig Road?  
**\*Response:** Mr. Stafford stated the residents' wells on Craig Road should not be affected, and would take additional steps to ensure safety of the wells once he knows where they are located.
- 10) Frank Burger: What is the breakdown of product fed into the digester?  
**\*Response:** Mr. Noble stated the breakdown consists of 2/3 manure to 1/3 pet food and other food waste.
- 11) William Lubanski: What is the actual proposed route and where is it being hauled from?  
**\*Response:** Mr. Stafford stated the manure will be hauled from a farm in

Covington, brought down Rt. 63 to Rt. 36 and then onto Craig Road.

- 12) William Lubanski: Why not continue to spread in Wyoming County where the manure is generated?  
**\*Response:** Mr. Stafford stated we have dispersed as much as we can on those fields, which is close to completion, and now need to spread on additional area.
- 13) Martin Wiest: What happens to the lagoon if Jeffres decide to stop leasing from the Abbey?  
**\*Response:** Mr. Stafford stated that would have to be discussed with the Monastery on what to do and whom will take over the responsibility.
- 14) Councilwoman Parnell: Who will be responsible financially for road repairs?  
**\*Response:** Mr. Noble stated Highway Superintendent, Mr. Worden expressed the same concerns, but they do not anticipate road repairs.
- 15) Kirk Richenberg: Will the trucks be hauling with an open or closed container?  
**\*Response:** Mr. Stafford replied the trucks will be open container trucks.
- 16) Marta Burroughs: According to the Town minutes of September 22<sup>nd</sup>, you stated to the Board at that time on average 5-6 trucks will be used continuously, each roughly making 10trips, what we have heard this evening sounds like many more trucks to and from.  
**\*Response:** Mr. Stafford stated what we have at this point are estimates due to the fact that this is the first time for this area.
- 17) Mark Amorese: What we keep hearing this evening is too many estimates!
- 18) Grayce Mingrino: Too many trucks will be needed for this project and we currently have our fill of them.
- 19) David Sperino: The proposed route would bring you to Rt. 63/Rt. 36 intersection which is a very difficult area currently. York Central School is located a short distance from the corner, buses are in that location continuously, adding to the truck traffic is a safety concern.
- 20) Kirk Richenberg: I am aware of the process and the material put into the digester, but believe organic matter is still in the product once processed.  
**\*Response:** Mr. Noble commented manure and food waste goes into the digester, all gases are released.
- 21) Davies Nagel: I have found in all the information I have read where growth hormones, antibiotics and heavy metals are in the waste. With everything that continues to be added, we would still be contending with a “toxic brew” that would be spread on the fields in our community which

would have a negative effect on more than just Craig Road. This type of farming is more of a factory farm than an industrial one. Unfortunately the EPA has not caught up with the new technology.

**\*Response:** Mr. Noble stated once again his family has farmed this community for 200 years, we would not do anything that would hinder this town or how we efficiently run our farming business.

22) Kirk Richenberg: Can you tell us the number of cows milked at the Synergy facility and the owners involved?

**\*Response:** Mr. Noble stated the facility milks 1650 cows, and Synergy is owned by 8 local farms.

23) David Sperino and Robert & Diana DeAnthony: Please reconsider placing a lagoon in the Town of York, this is not a suitable location, nor do we need the unnecessary additional truck traffic.

24) William Lubanski: Mr. Deming please explain why the Town does not have any authority in this matter?

**\*Response:** Supervisor Deming stated any permits required for farming practices are issued through the State and/or Federal government, the Town does not have any jurisdiction.

25) Grayce Mingrino: I believe recently Geneva put a moratorium on such activities.

26) Davies Nagel: If the Monastery and Jeffres were wondering how this community feels about this project, they are aware of the people's concerns tonight, but has anyone contacted the school to ask their opinion?

**\*Response:** Supervisor Deming commented numerous smaller lagoons currently exist in the Town, of which permits were not required from us or the State, so the Board did not contact the school for notification of this meeting, but did send letters to residents in the route area as well as a notice in our official paper, the Livingston County News.

27) Harold Smith: Will there be an Environmental Impact Study?

**\*Response:** Mr. Noble stated at this time the study is not required, but if it was part of the process they would certainly comply.

28) Francis Pascuzzo: (a) Supervisor Deming stated we have lagoons on farms in the Town of York, are they run by the owners of the farm and do they pay taxes?

**\*Response:** Mr. Deming responded, they are operated by the owners and they do pay taxes on the parcels.

(b) Additional trucks on Rt. 63 will be even more dangerous, please reconsider.

- 29) John Taylor: What is bakery waste and pet waste?  
**\*Response:** Mr. Noble stated pet waste is from Purina Pet food and bakery waste is from actual baking products.
- 30) William Lubanski: Are you hauling liquid waste now?  
**\*Response:** Mr. Stafford stated they are hauling liquid waste at this time.  
**\*Response:** Mr. Noble stated they are receiving waste from a slaughter house in Canada.
- 31) Kirk Richenberg: Are you bringing in Industrial waste?  
**\*Response:** Mr. Noble stated the only waste product will be from the food industry.
- 32) Davies Nagel? Did you bring a sample of the digested waste material?  
**\*Response:** Mr. Noble stated he did not bring a sample this evening, but would be willing to produce a sample.
- 33) Jean Williams: Our family moved to York a year ago, we loved the small town feel and the beautiful sites, especially the sunflowers at the Monastery, but the manure smell is overwhelming, we certainly don't need to add to it.

Father Jerome addressed the public by explaining briefly how this project was first discussed. From the initial start of the Abbey in 1951, the brothers were able to handle the day to day farming operations. Due to the aging population the routine tasks have become too great and the Abbey has had to seek other options in order to continue farming practices. Jeffres and Sons have worked Monastery property for two years and have been good stewards of the land, so when they approached us about the proposed project we discussed it several times and ultimately thought it would be positive to proceed. Father Jerome commented he has listened to the residents' concerns this evening and stated in addition to the Town receiving letters, the Abbey has also received them. He will pass along the comments made this evening.

- 34) Martin Wiest: Farming practices have changed dramatically over the years, substances now are much more potent.
- 35) Councilman Rose: Knowing how the community feels about this project, would the Monastery still feel comfortable if the proposed route was River Road, which travels directly past the Abbey?  
**\*Response:** Mr. Stafford stated they would definitely work with the Town on any viable route.
- 36) Roberta MacLean: Even if the route changes to River Road, it won't change the situation. We have too many trucks currently traveling our roadways now, increasing them will only magnify the issue further, when is there a point of too much.

- 37) Robert and Diana DeAnthony: How can you consider such an increase to Rt. 36, we live on the proposed route and see the enormous amount of traffic now, more should not be added. Please reconsider.
- 38) Greg Martin: I have resided in the Town of York for 50 years and have loved living where I do. My family has had the pleasure of looking across the road onto Abbey property and enjoyed the view for years. Even when the odor has become too strong, we, along with many other residents realize we are in a farm community and try to grin and bare it. But when this project was proposed we felt the need to express our concerns in hopes that the Monastery would reconsider. I have seen ponds break loose over the years and knowing what it would do to the soil, scares me because we are not part of the Town's water district and are completely dependent upon our well. Current truck traffic is out of control and whether it be Craig Road or River Road, neither option is a good one and believe our roads can not handle the weight.
- 39) Kirk Richenberg: Is there phosphate overload in the soil in Wyoming County?  
**\*Response:** Mr. Stafford replied there is not an overload of phosphate presently, increasing acreage available will prevent this from happening. This is why we are looking at Monastery property as well as other areas.
- 40) John Taylor: If I want to build something in the Town I am required to obtain a building permit, they don't?  
**\*Response:** Supervisor Deming stated once again they are not required to apply for a permit under State regulations, so we have no jurisdiction.
- 41) David Russo: (a) If the Town has no say in this process, why are we here?  
**\*Response:** Supervisor Deming stated we advertised this meeting as a way of informing the community of the proposed project, even though we do not have a say in the process.  
(b) Please reconsider.
- 42) Carol Kime: (a) Is there an agreement in place with the Abbey?  
**\*Response:** Kevin Baker stated we have a verbal agreement with Jeffres, but nothing in writing at this time.  
(b) Please reconsider, this is a terrible idea.
- 43) Grayce Mingrino: If there is a great deal of rain and an overflow occurs, where does the excess go?  
**\*Response:** Mr. Noble stated any properly designed lagoon should not fail but the plans always account for 18-24 inches of clearance from the top.
- 44) Sanford Vreeland: You should be required to have an Environmental Impact Study performed.

**\*Response:** Mr. Noble stated again if they were required to do so, they would have complied with the regulation, but it was not a requirement.

45) Harold Smith: How is this lagoon different from existing lagoons?

**\*Response:** Mr. Noble stated in the 90's they began to upgrade the specifications for lagoons, making them much more strict. What we are proposing is digested manure, which is a totally different product than the everyday manure which still contains methane gases, the intense smell is the gases.

46) Kirk Richenberg: I am aware of a gentleman who came in contact with digested manure, the smell lingered for roughly a month on his hands.

47) Robert and Diana DeAnthony: Do you have a backup plan if needed?

**\*Response:** Mr. Noble stated every project has plans in place in the event we need to use it.

48) Davies Nagel: (a) The Town stated this evening they have no authority in this process, but the minutes reflect having an Informational Meeting before approval is made?

**\*Response:** Supervisor Deming and Town Attorney, Mr. Cicoria stated all agricultural matters are State mandated, we do not have jurisdiction. In this situation the only approval that can be made is by the Abbey of the Genesee.

(b) The vast majority of this community does not want this project to move forward, please hold constant to the thought of being good neighbors, do not approve the creation of this lagoon.

After no further comment or questions from the public, Supervisor Deming closed the Informational Meeting at 8:15 p.m.

Respectfully Submitted,

Christine M. Harris, Clerk