



# Onondaga County Legislature

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## PUBLIC HEARING

### PROPOSED IMPROVEMENTS TO THE MIDLAND REGIONAL TREATMENT FACILITY AND CONVEYANCES PROJECT FOR THE ONONDAGA COUNTY SANITARY DISTRICT

**MARCH 4, 2008, 2:00 P.M.**

Chairman Meyer called the hearing to order at 2:00 p.m.

The Clerk called the roll and the following legislators were present: Lesniak, Kraft, Stott, Rapp, Rhinehart, Buckel, Corbett, Stanczyk, Holmquist, Kilmartin, DeMore, Warner, Jordan, Kinne, Laguzza, Masterpole, Williams, Mr. Chairman.

**Martha Loew, Sierra Club** – Her purpose is to defend the rights of the creek and the rights of the people who live there. Sierra Club has had a resolution on the floor for at least 10 years opposing the treatment plant. To build the conveyances is an unnecessary expenses and prohibits revitalizing the creek. With a revitalized creek, there is a revitalized town. She took a canoe trip down the creek, which was like taking a trip through a liquid landfill. It gave her an opportunity to see the bad things but to also see that there is room for vision. It can be a sponge to take care of a lot of pollutants that are now trying to be taken care of through technology. Feels that both resolutions on the floor today should be tabled; there are a lot of other green ways that could be done.

**Louise Poindexter, POC** – The ACJ is not written in blood. It has been changed by the State through DEC for the County over 100 times. The government realizes that there should be a greener, cheaper way with all of the technology coming forth. She asked that the resolutions be tabled. Government is interested in a greener and cheaper way to do this. She asked that the resolutions today be tabled. A month's table will not cost anything; it will not mean that much; it will give inner vision on things to come for the future. The State is supportive and willing to listen. The County was charged to commit to capture 85%; to date the County has captured 84%. For 1% more you are planning to spend all this money and do all this unnecessary stuff. The RTF was built so large; that it can happen, the pipelines aren't needed to further it. The money that is there; is money that has already been there; it has already been voted on and she does not see why the money needs to be tagged on again. There is 8,000 ft of pipe, which will affect 70 families, several families have already been uprooted and to continue could impact 60 more families. On the 84% capture, according to county's own monitoring, there are no bacteria. County did a great job. There is only 1% more; it does not warrant all the pipeline that is being talked about. She urged the legislature to stop and take a breath and table this.

**Aggie Lane** – Asked the legislature to table the resolutions; wait at least a good month. By doing so, the State and County will realize how viable doing something besides spending \$57 million. In 2002 negotiations, we were told that the cost was \$22 million. Money seemed pretty cost effective. In 2005 it was bonded again for \$123 million. The pipeline project was \$37 million. When the bids were opened, the first was thrown out because there was a flaw; the second bid was \$63 million. It went back to the table and the engineer said that it is \$57 million. Maybe there will be bonding a 4th time. The entire plan with all conveyances was submitted to DEC after a full design in 2003 for \$55 million. This pipeline is more than the entire project. She asked that the Legislature do what the State asked them to do on Clinton and Harbor Brook – take a look at the possibilities and see if something could be done cheaper, smarter, greener and more aggressive. She

displayed diagrams of a plan. If the pipeline is not built, the County does not have to separate the entire upstream for \$174 million; it isn't true. The worst that could happen is to put flow control on them for \$5 - \$10 million, but not the most environmental thing to do. Storm water gets into the system; there are ways to keep it out. Dr. Nancy Stoner will speak at Marshall Hall this Thursday, author of Roof Tops to Rivers. The only area she suggested that should be separated is Glenwood Ave. It is undersized there, and manhole covers are being blown off. She pointed out areas on the map that have been separated and areas that could use green infrastructure. Something really manageable can be done for less than the \$35 million; do not need to bond.

**Tarke Health** – She understands how the creek can be an asset to all the communities around it. We are wasting this lovely asset. Show pictures (attached). Agrees that CSO abatement is important and has been an issue for cities all around the country. Other cities are looking at green infrastructures. Many systems minimize storm water and filter out pollutants. There are health and environmental benefits by going to green infrastructure. The value of green landscaping is phenomenal. It will educe the private sector to become a partner in they will want to develop their own properties. EPA has put out a lot of information on it; DEC is in support of this; they understand that green infrastructure far surpasses the old industrial manner that has addressed these issues in the past. Cincinnati has gone this route; their slogan is "Going from Gray to Green". The pipeline is part of the outdated gray industrial mindset. 1,000 ft has already been laid on the south side; it can still be put to use. Everyone expected the pipeline to be invisible; it's not. It is a "not in my backyard" issue. It can be turned around today by looking to green infrastructure. She asked that the resolution be tabled and a better, closer look be taken.

**Vernell Bentley** – Her family was interrupted on Blaine Street; human lives have been interrupted because of this plant. 35 families had to move because of it. There are 5 more families within 1,000 ft. of the pipeline that will also be interrupted. There are 6 more families with 75 ft. of the pipeline that will be interrupted with no mitigation money set aside for them. She asked legislators not to do this.

**Joanne Stephens** – Asked legislators to table the resolutions; suggested they get on a bus and go visit the sewage treatment plant location. Legislators should see what they are voting on. The IMA has been approved; the conditions for the release of the \$3 million mitigation money have been met; the City has dropped the appeal and has sold the land to the County; Midland Phase II is built. The Community has spent 6 months developing the Community Development Plan for the \$3 million mitigation money. The IMA, per page 18, does not require another vote of the County Legislature.

**Terchere Price** – Asked that this be tabled. It would not be right to disrupt more properties. Families and communities are disrupted by putting in more pipeline. These people have not received mitigation. The IMA did not include the need for more pipeline to be put in. The families are entitled to the mitigation.

**Joe Heath, General Counsel for Onondaga Nation** - Asked to table the funding request. He supports the position of the Partnership for Onondaga Creek. There are many reasons why the pipeline should not be built. It is incredibly disruptive in a neighborhood to put a pipe this big in. He urged the legislature to take a hard look at it. There are plenty of ways to do that. The huge pipe will interfere with the possible naturalization and reclamation of the creek. We are at the end of a 3-year program where the Community-Based Creek Revitalization Committee is coming together to make positive community-based solutions for the creek, to reclaim, to undo some of the damage that has been done to this vital artery in our community over the last 100 years. To try to rechannel it, think of it as a living organism; putting the pipe there would curtail the options there dramatically. There are better, less expensive solutions. Green infrastructure is a much better way to reduce the storm water getting into the system; it can be in many small projects, advanced techniques in other cities; much better than large pipes and swirlers. In Jan. the EPA issued an action strategy; urged municipalities in their green infrastructure in their addressing CSO problems. He distributed copies of a letter that he received, dated Feb. 25<sup>th</sup> from the EPA (attached). He referred to specific parts of the letter. Urged the legislature join EPA and DEC in looking at this--to get with the 21<sup>st</sup> century technology. He asked this be table and more green infrastructure be entered into the debate.

**Don Hughes** – Concurs with all previous speakers. He said that he had provided legislators with copies of newspaper articles that appeared in the Post Standard. Get the \$3 million to the effected south side neighborhoods, as they have been enduring this for 2 years. Whatever it takes to get them that money; they

deserve it. Urged the Legislature table the vote on this bonding. The Legal Dept. should be keeping legislators in the loop – stipulations have gone to US EPA for their review, discussed in newspaper articles from PS, which would grant a 1-year extension. ACJ is a flexible document, not carved in stone. Have been delayed in Midland RTF all kinds of changes to document. Many alternatives, green infrastructure, need to learn from other communities that have spent all this money on technologies that have proven inadequate. Valley Drive project should be pushed, it should be a high priority. There is an urgent, dyer need to fix the infrastructure in this town. Have pipes that are 150 years old, pre civil war pipes, need to be fixed.

**Thomas Law** - - Statement on file –...suggested that the project should be rationalized; whoever designed it, signed off on it, provides a case. Then to rationalize it, a top dog in sewage design be brought in and pay them \$1,000/hour (for example); they will have to sign off on it. To rationalize, they show the numbers, sign off on what the numbers are, and on how long the improvements will last.

**Bruce Block** – Former member of Armory Square. Association; past president of Armory Square Association. He had asked the question what would be the best of both possible worlds—and he was told that there was no question that it was sewer separation, but it was too expensive. Also, they could not bond for money than what was proposed. The project is far beyond whatever that sewage separation would have cost and bonding was done many times. Carousel Center is getting all this credit for going green; green cars can park closer to the mall. That means that all the cars that use gas and have to park further away and drive around and around--so what sense was there to that? The Legislature has an opportunity to do something that actually is green, and should take that opportunity. He has served on many community groups, but rarely has had an opportunity to serve on a group like the Partnership for Onondaga Creek. They are the most dedicated individuals that he knows. They have brought to light a lot of things that legislature would not know. Unless legislators are experts in sewage treatment, sewage separation, then they need to vote this down and in turn table the items.

**Randy Ott, WEP Commissioner** – It was recently stated that the County was given a 1-year extension on the ACJ. That one-year extension applies to the Clinton and Harbor Brook projects, which the County is working with the various parties of the ACJ. The 2-month review process is to look at a number of alternatives a number of which were addressed by speakers today. The State has indicated that they want the County to finish the Midland project as intended. They have given the County, as part of the stipulation, until January 1, 2012 to finish it. This project has at least a 3-yr. construction period; starting construction this summer will put us in the summer or fall of 2011 in order to meet the ACJ criteria with a couple of months float in order to meet the ACJ deadline. The project is part of specific consent order; it specifically says that the Midland Ave. conveyance project is a project to be completed under that program. Regarding the mitigation money talked about in the IMA, there is \$3 million for the Midland Ave neighborhood. However, it was just that, an agreement; it did not contain any financial agreement by the County to authorize or bond for that money, which is what is being asked for approval today. Regarding bacteria in Onondaga Lake, NYS has not declared that that the County is compliant with bacteria standards in Onondaga Lake. The State has also stated that not only must we comply with Class B standards but also must comply with Class C. The entire lake must be in compliance with bacteria standards. There has been talk about the percentage captured, which is only one measure of compliance there are a number of others that the County must be compliant with--the CSO policy, which has at least a 10-point system of compliance; must also reduce the number of overflow events per year that occur under that program. Completion of the Midland Phase III project will be disruptive, but feel the long-term effects will be positive; feel that it will be significantly less disruptive than any type of sewer separation project. At least 10 sewer separation projects have been done in the Midland Ave. area, where they were found to be cost effective. If they were to separate one sewer that a speaker talked about today, in the Glenwood Ave. area, there is over 46,000 linear feet, almost 5 miles of pipeline in that one CSO service area; it would cost \$52 million. That is slightly less than what is being asked for today to solve all problems, with all seven CSOs, that still need to be collected and transported to the Midland RTF. A letter was received from EPA this past week indicating that they have approved the project and recommend that the County go ahead and bid this project, provide them the required information in order to obtain the federal funding that the County is seeking under the program. A comment was made about the conveyance pipelines preventing revitalization of the creek. The pipeline will be running parallel to the creek; the main interceptor also runs parallel to the creek. Since there are pipelines there already, an additional pipe that would run parallel to the County's main interceptor already proposes some impediment if someone is interested in trying to expand the volumes of the

creek in certain areas of the City. The County is on board with a lot of the comments made today about green infrastructure; they are precisely what is being looked at for Clinton and Harbor Brook Projects to see if they can change the type, scope of those projects. However it is felt that for the Midland Ave. project that the green infrastructure improvements will take years to implement. It will be required that the City and other municipalities to change their building codes, require new or modified development to implement this type of technology. It is a good idea going forward that if green infrastructure is implemented in the Midland project that it will only further enhance the facilities capabilities that they are building. One fallacy in the Partnership Plan is that it only talks about addressing a couple of the overflows; it doesn't fully address all seven of the overflows that the Midland Ave. Phase III project will address. He hopes that he has clarified for the Legislature some of the points that are felt to be important, and clarifies some of the misunderstandings that might have been stated today.

**Mercedes Bloodworth – SW Community Coordinator for Syracuse United Neighbors** – Doesn't know much about technology, but does know a lot about people. She has been working with the residents in the southwest area for several years on housing and redevelopment. In the beginning there was a wider targeted area to be included in the agreement for some sort of rehabilitation. That area has since shrunk. At a meeting last month, a lot of people inquired to her as to why they had not been assisted. She told them not to shoot the messenger, as she had no control over it. There are homeowners that have lived there for years. She was raised in the southwest side of Syracuse from a young girl. It was one of the most beautiful areas in Syracuse. Now there is approximately 10% homes; 82% investors, and it is infused with crime. A lot of things in that area need some assistance. The area was disrupted by the sewage treatment plant, and it will spread out -- people want to live in a peaceful place. When talking about not sticking to the agreement, talking about not releasing mitigation money unless the other part of the money is released, then you talk about losing more homeowners and losing residents that have lived there all of their lives. Everybody on the south side is not drug dealers; many are taxpayers. She lives there, she works, she pays taxes, and thinks that they deserve just as much right to receive rehab in their neighborhoods as anyone else.

There being no further speakers, Chairman Meyer adjourned the hearing at 3:10 p.m.

Respectfully submitted,



Deborah L. Maturo, Clerk  
Onondaga County Legislature