

ZBA Members,

Please find below some thoughts on what transpired tonight. I ask that you read these with an open mind, and do not take any of the feedback personal. It's been a long 4+ years dealing with the leadership in Perinton, the state of NY, and Waste Management. Many of our friends have already moved out of town due to the landfill, and the impact it has on so many residents is almost unfathomable at this point. It was clear tonight more than ever that the town is an extension of Waste Management. In some respects, I thank you for being so straightforward in your support of Waste Management. It really helped us to understand the depth of the relationship between the town and Waste Management, and how the lengths the town will go to make sure Waste Management's revenue and ability to share that revenue is protected at all costs.

- The reliance on the PCB in of itself was flawed. The PCB is partly responsible for the situation we are in today with respect to the landfill implosion of 2017-2018 and continued nuisances that residents deal with on a daily basis. Pretending the PCB members are landfill experts, and relying on people that will never admit past mistakes, is not a good practice.
- The reliance on DEC's odor evaluation report was flawed. If you've done any research on the state's waste situation, you would know that there are currently no good solutions for NYC waste. 200+ landfills have been shut down over the last 20 years, many due to operational issues similar to High Acres. That said, the state needs a place to put NYC waste, and High Acres is part of the solution. They need the waste to come here at this time, so they are not willing to admit anything when it comes to NYC waste causing more issues than local waste, outside of the time it takes to get here (something they were forced to admit due to an odor event in 2019 caused by a train derailment and waste being delivered that was sitting in rail cars for 3+ weeks).
- Jeff Richardson lied to the ZBA members twice while he was answering Denny's questions. First, when he said trucks were taken off the road due to the rail implementation. We have already proven that close to ZERO waste was coming from NYC to High Acres from 1970-2014. Some years it was nothing, other years it may have been a truck or two. The rail did not take ANY trucks off our roads. That NYC waste was not coming here, it was going to other facilities in the northeast. Second, when he said the rail did not impact the amount of waste coming to High Acres. He referenced the capacity of the landfill, but he wasn't answering the question. The answer is that, yes, the intake amounts DOUBLED between 2014 and 2015. The doubling of the intake was solely caused by the NYC waste by rail (see attached spreadsheet). I am DEEPLY disappointed that the ZBA members did not already know these basic facts about the landfill, and were so easily deceived by Mr. Richardson. It shows a lack of research and a lack of understanding of the underlying causes of odor events since 2017. Did the ZBA members attend the public meetings in 2018 and 2019 involving the town, WM, DEC, and FAFE? If not, were the videos of those meetings watched that are online? It appears they weren't based on the lack of knowledge shown by the ZBA members during the meeting tonight.
- The presentation/reading done by the PCB member conveniently left out many facts that should have been considered by the ZBA. One such fact is that in the Environmental Impact Study done for the application of the rail spur in Macedon, Waste Management admitted that gas creation would increase by an estimated 50% due to the rail installation. One can assume they answered the question that way because they knew they would be increasing intake after the rail was installed. In reality, gas creation increased by over 150% per WM records. The large gas creation increase, coupled with the poor design and lack of infrastructure in cells 10 and 11, contributed to the odor event in 2017 and 2018 that was historically bad. By allowing the permit renewal, you have opened up the risk for that area of the landfill to be re-opened and cause all sorts of issues in the future. That is now a risk that residents have to live with, because of your lack of understanding of the issues.

- In the PCB questions to WM, one in particular is a microcosm of how making deals with WM and becoming addicted to their revenue sharing is a slippery slope. Mr. Rainis asked Mr. Richardson if he was aware that John Colella (Macedon Police Chief and owner of Towpath) was on an advisory board to the town of Macedon for the use of methane captured at the landfill. Mr. Richardson's answer is that he was not aware of this fact when he decided to hire Towpath to investigate odor complaints made by residents. A quick google search shows that Macedon town board meeting minutes from 3/23/17 clearly show Mr. Colella appointed to the methane advisory board. The board was tasked with advising the town on ways to exploit methane captured at the landfill and turn it into more revenue for the town. If you really believe Mr. Richardson was not aware of Mr. Colella's status in Macedon and conflict of interest related to revenue from the landfill, then I have a bridge to sell you. It either shows lack of diligence done by Mr. Richardson (which wouldn't be a surprise), or lack of integrity by Mr. Colella (which also wouldn't be a surprise). But more likely, Mr. Richardson and WM lied yet again to the PCB (which is something they have done repeatedly that is well documented).
- There have been 20,000+ odor complaints made by 1,200+ residents over the last 4+ years. I'm shocked that ZBA members would take a 3 hour tour of the landfill, listen to presentations given by WM, and yet not reach out to any residents to visit properties and understand what it's like living within a few miles of this facility. There were no house visits mentioned. Based on the other applications reviewed tonight, it appears the ZBA members visited the site of the new gun dealership and the site of the new fence installation, etc. Yet, the most important issue in the history of Perinton, the High Acres Landfill, and you couldn't request a visit during an odor event with residents? You couldn't request a meeting with the teachers at NS/Dudley to discuss what the impacts of odors are on their students every fall? It seems like you took a one sided approach to this decision, which is emblematic of how the town has approached the problem from the start, so I guess I shouldn't be surprised.
- Supervisor Barker told me in November 2017, after I had taken my own tour of High Acres once odors got really bad, that he wanted to aggressively address the relationship with WM, but that the board members and the town lawyer were "scared of getting sued by WM". I suspect that he was telling me the truth, and that was the reason the town didn't suspend the permit back in 2018. I also suspect that it's still a true statement, and the real reason the ZBA approved the permit tonight. If that's the case, it's very sad. This community has already lost a number of high profile residents who have left for other towns due to the landfill. It's reputation is forever tarnished. And your decision tonight only perpetuates the issues and the risk of more damage. WM will be emboldened now that they have the permit renewal. They have a free pass to essentially do anything they want. They can be responsible for the most negatively impactful landfill in the country, with almost no repercussions. You could have been heroes to thousands of people tonight, and sent a message that no amount of money can buy a corporation the ability to ruin a large portion of a community and put the health and well being of residents in danger. Instead, you toed the party line, and showed no backbone. For the sake of the community, I ask you to consider these things as you move forward in your roles. The damage done tonight will hopefully be undone in court, but decisions like this need much more vetting in the future to ensure the right thing is done. Waste Management's money and connections on the town board should not be driving decision making.

Respectfully,
Gary McNeil