

VILLAGE OF BROCKPORT
VILLAGE BOARD - MEETING AGENDA
Tuesday, March 13, 2012 6:00pm

- **CALL TO ORDER / PLEDGE:** please silence cell phones & electronic devices & refrain from texting
- **MOMENT OF SILENCE:** to honor those that serve our Country, enforce our laws, & respond to emergencies
- **GUESTS:** None
- **PUBLIC COMMENT:**
 - 5 minute limit per person / state name & address for record & speak directly to entire Board / share if this is a prepared statement & submit hard copy to Clerk after reading (& electronically next day if possible)
- **CONSENSUS ITEMS:**
 - Approval of minutes – 2/27
 - Approval of bills to be paid
- **MANAGER/TREASURER & CLERK REPORTS:**
 - Manager/Treasurer – Michael A. Giardino
 - FY 2012-2013 Budget preparation update
 - Clerk – Leslie Ann Morelli
- **DEPARTMENT REPORTS:** (Department Heads are in attendance the 4th Tuesday of each month)
- **PERSONNEL ITEMS:**
 - Volunteer Appointments:
 - Fire Department – membership drops/adds
- **OLD BUSINESS:** None
- **NEW BUSINESS:**
 - Set public hearing for proposed Local Law of 2012 to exceed the property tax cap (if necessary)
- **VILLAGE BOARD REPORTS:**
 - Mayor Maria Connie Castañeda
 - Trustee Margaret B. Blackman
 - Trustee Kent R. Blair
 - Trustee Carol L. Hannan
 - Trustee Scott W. Hunsinger
- **EXECUTIVE SESSION** (if needed)
- **ADJOURNMENT**
 - Village Board to 7pm NYS DEC public meeting re 200 State Street proposed remedy – Seymour Library

Upcoming:

- 7pm Tuesday, 3/27 – Village Board meeting
- 7pm Wednesday, 3/28 – Economic Development seminar – Middle School Auditorium
- 7pm Friday, 3/30 – NYS DOT public information meeting re temporary closure of Main Street & Park Avenue bridges for repairs – Middle School Auditorium
- 7pm Tuesday, 4/3 – Village Board work session
- 7pm Tuesday, 4/10 – Village Board budget hearing - Middle School Auditorium
- 7pm Tuesday, 4/24 – Village Board meeting (adopt budget by 5/1)

Vacancies: Interested residents can submit position interest form to Village Clerk for the following:

- Ethics Board – to complete a 4-year term to 6/30/12
- Ethics Board – 4-year term to 6/30/15
- Parks Committee - 4-year term to 6/30/15
- Parks Committee - 4-year term to 6/30/15
- Historic Preservation Board – to complete a 3-year term to 6/30/12

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CALLING FOR 3/27 PUBLIC HEARING UP FOR BOARD CONSIDERATION 3/13

VILLAGE OF BROCKPORT

Notice of Public Hearing

Please take notice that the Board of Trustees of the Village of Brockport will hold a public hearing beginning at 7:00 pm on Tuesday, March 27, 2012, at the A.D. Oliver Middle School Auditorium at 40 Allen Street Brockport, NY 14420 to consider proposed Local Law #1 of 2012, a Local Law to override the tax levy limit established in General Municipal Law § 3-c as follows:

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Brockport to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The Board of Trustees of the Village of Brockport, County of Monroe, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2012 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

All interested parties will be given an opportunity to speak for or against this proposed legislation.

By Order of the Brockport Village Board

Leslie Ann Morelli
Village Clerk
Village of Brockport

Dated: March 14, 2012

For publication in Suburban News and posting on Village website and at Village Hall.



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MAR - 5 2012
VILLAGE OF BROCKPORT

FACT SHEET

State Superfund Program

Receive Site Fact Sheets by *Email*. See "For More Information" to Learn How.

Site Name: JMT Facility (Former G.E. and Black & Decker Site)
DEC Site #: 828003 Operable Units 04, 05, 06 *
Site Address: 200 State Street
Brockport, NY 14420

February 2012

Remedy Proposed for State Superfund Site; Public Comment Period and Public Meeting Announced

Public Meeting, Tuesday, 3/13/2012 at 7:00 PM

Seymour Library 161 East Avenue, Brockport, NY

NYSDEC invites you to a public meeting to discuss the remedy proposed for the site. You are encouraged to provide comments at the meeting, and during the 30-day comment period described in this fact sheet.

The public is invited to comment on a remedy proposed by the New York State Department of Environmental Conservation (NYSDEC or Department) related to Former G.E. and Black & Decker Site ("site") located at 200 State Street, Brockport, Monroe County. Please see the map for the site location.

Documents related to the cleanup of this site can be found at the location(s) identified below under "Where to Find Information."

State Superfund Program: New York's State Superfund Program (SSF) identifies and characterizes suspected inactive hazardous waste disposal sites. Sites that pose a significant threat to public health and/or the environment go through a process of investigation, evaluation, cleanup and monitoring.

NYSDEC attempts to identify parties responsible for site contamination and require cleanup before committing State funds.

For more information about the SSF, visit:
<http://www.dec.ny.gov/chemical/8439.html>

How to Comment

NYSDEC is accepting written comments about the proposed plan for 30 days, from February 29, 2012 through March 29, 2012. The proposed plan is available for review at the location(s) identified below under "Where to Find Information." Please submit comments to the project manager listed under Project Related Questions in the "Whom to Contact" area below.

The site is listed as a Class "2" site in the State Registry of Inactive Hazardous Waste Sites (list of State Superfund sites). A Class 2 site represents a significant threat to public health or the environment; action is required.

Proposed Remedial Action Plan

The remedy proposed for the site includes:

Remedy for OU 04:

Operable Unit 04 (OU04) is the off-site groundwater that has been contaminated by chlorinated

*Operable Unit: An administrative term used to identify a portion of a site that can be addressed by a distinct investigation and/or cleanup approach. An operable unit can receive specific investigation, and a particular remedy may be proposed.

solvents from the 200 State Street site. The OU04 remedy includes a groundwater extraction and treatment system that was installed to control the migration of chlorinated volatile organic compounds (CVOCS). The groundwater extraction system is located at 98 Lyman Street and includes an overburden French drain with bedrock connector wells. Extracted water is treated at 98 Lyman Street with a low profile air stripper and discharged to Monroe County under a sewer use permit. The existing extraction system will be operated in pulsed mode, cycling on and off on an annual basis.

In 1996, a residential sampling program was also conducted in the neighborhood to assess potential indoor air impacts associated with the CVOCS. Mitigation systems were installed in two houses. As part of the final remedy, the adequacy of the 1996 sampling program will be reevaluated relative to current NYSDOH soil vapor intrusion guidelines.

Groundwater monitoring program is already in place and will continue to be conducted to monitor the effectiveness of the groundwater actions.

Remedy for OU 05:

Operable Unit 05 (OU05) is the storm sewer system and PCB-contaminated soils located at the 200 State Street site. Elements of the remedy for OU05 included storm sewer cleaning and sediment removal, storm sewer replacement of pipe and manholes, relining storm sewer lines, excavation and off-site disposal of soils related to PCB contamination. Sewer replacement and relining also addressed infiltration of VOC contaminated groundwater. These actions were performed as interim remedial measures associated with this operable unit.

Some residual PCB contamination remains at the site under the main manufacturing building in the vicinity of Line 2 of the Storm Sewer system. Controls to limit potential future exposures to this material are part of the remedy.

DEC coordinated an emergency removal action during 2010 to drain PCB oil from electrical equipment located on the site. As part of the remedy, PCB-containing electrical equipment will be removed from the site.

Remedy for OU 06:

Operable Unit 06 (OU06) is the waste oil container storage area, outside container storage area and degreaser areas that were located in/near the courtyard area on the east side of the main building at the 200 State Street site. The OU06 remedy adopts interim measures that were taken to control the infiltration of chlorinated volatile organic compounds into the storm water network. This included removal and replacement of storm sewer structures/pipes with water-tight designs in several areas at the 200 State Street site.

Storm water quality monitoring was performed and demonstrated the effectiveness of the interim measures.

Next Steps

NYSDEC will consider public comments as it finalizes the remedy for the site. The selected

remedy will be described in a document called a "Record of Decision" that will explain why the remedy was selected and respond to public comments. The project then moves to designing and performing the cleanup action to address the site contamination.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

Background

Location:

The JMT Properties site is located at 200 State Street, in an industrial area, on the east side of the Village of Brockport.

Site Features:

The main feature of the approximately 28 acre property is a large abandoned building, surrounded by parking areas and access roads. There are also several small sheds/buildings located on the east side of the main building. The southern part of the site includes some open, grassy areas, and some wooded areas. The New York State Barge Canal is across the street, on the north side of the site. The former 3M/Dynacolor inactive hazardous waste site is located immediately west of the 200 State Street site. Storm water from the site is conveyed under the canal, to the north side, where the storm sewer discharges to Tributary #3 to Brockport Creek.

Current Zoning/Use(s):

The site is currently inactive, and is zoned for industrial use. The surrounding parcels are currently used for a combination of commercial and industrial uses, mainly related to frozen food processing and storage. The nearest residential area is approximately 0.1 miles north, on the north side of the canal.

Historic Use(s):

The site was historically used for the manufacturing of house-wares, and was operated by General Electric between 1946 and 1983, and then by Black & Decker from 1984-1986, when house-wares production ended. In 1988, Black & Decker sold the facility to the County of Monroe Industrial Development Agency (COMIDA). COMIDA leased the property to Kleen-Brite Laboratories who used the facility for the storage and packaging of detergents and other cleaning products. The site was subsequently acquired from COMIDA by JMT Properties, Inc. in 1992, and Kleen-Brite continued to use the site for storage and packaging of detergents and other cleaning products.

Historic operations included a wastewater treatment plant for industrial discharges from house-wares metal plating operations. The treatment plant included six lagoons and a sludge drying bed. The lagoons were closed under an NYSDEC approved closure plan in 1986. Closure activities involved the removal of 4,170 tons of sludge, contaminated soils and the lagoon liners. Prior to closure, volatile organic compounds (VOCs) were identified in groundwater wells monitoring the lagoons. In response, a groundwater pump and treat system was built in 1987 and began operating in 1988. Treated groundwater is discharged to the Barge Canal under a DEC permit.

Operable Units:

The site was divided into seven operable units. An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately to investigate, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination.

Operable Unit 01 (OU 01) is the Lagoon Closure mentioned above.

OU 02 consists of the On-Site (200 State Street) groundwater.

OU 03 is the Prior Sludge Application Area, an on-site area located primarily to the south of the main building, where sludge historically removed from the lagoons was placed.

OU 04 is the off-site groundwater, and includes the related off-site soil vapor intrusion evaluation.

OU 05 is the on-site storm sewer and PCB contaminated soil.

OU 06 is Waste Oil Container Storage Area, Outside Container Storage Area and Degreaser Area, and includes the related on-site soil vapor intrusion evaluation.

OU 07 is the Off-Site Storm Water Drainage, and includes the off-site storm sewer network and Tributary #3 to Brockport Creek.

Site Geology and Hydrogeology:

The site soils (overburden) are a relatively thin (10-15 feet) deposit of glacially derived material, overlying sedimentary bedrock. The soils have low permeability and tend to be poorly drained. The bedrock consists of sandstone, siltstone and shale. The natural groundwater flow is towards the north, with flow predominately occurring through fractures/higher permeability features of the bedrock.

Site Status:

Upon finalizing the proposed remedial actions for OU 4, 5 and 6, this facility will transition into the site management phase of long-term operation, monitoring and maintenance of the site.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's website at:

<http://www.dec.ny.gov/cfmx/external/haz/details.cfm?pageid=3&progn=828003>

FOR MORE INFORMATION

Where to Find Information

Project documents are available at the following location(s) to help the public stay informed.

Seymour Library
161 East Avenue
Brockport, NY 14420

Brockport Village Offices
4418 State Street
Brockport, NY 14420

Whom to Contact

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Lawrence Thomas
Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7017
518-402-9813
lxthomas@gw.dec.state.ny.us

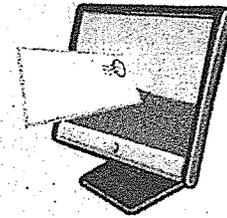
Site-Related Health Questions

Julia Kenney
New York State Department of Health
Flanigan Square
Troy, NY
518-402-7860
jmg07@health.state.ny.us

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

Receive Site Fact Sheets by Email

Have site information such as this fact sheet sent right to your email inbox. NYSDEC invites you to sign up with one or more contaminated sites county email listservs available at the following web page: <http://www.dec.ny.gov/chemical/61092.html>. It's quick, it's free, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select.

You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

Note: Please disregard if you already have signed up and received this fact sheet electronically.

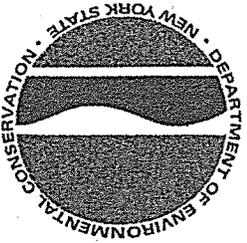


Figure 1
Site Location Map
JMT Facility - Brockport
(Former GE/Black & Decker Site)
Town of Sweden, Monroe
Site No. 828003

