

AVA, NY LANDFILL TIMELINE

APPENDIX A – AG DISTRICT ISSUE – 1993

1. August 1993, Ava-Western Ag District, scheduled 8-year review.
2. Landowners are encouraged to apply for inclusion in the Ag District to obtain benefits under the law to which they are rightfully entitled, including legal protection for the preservation of rapidly dwindling farmland. Part of the law, Section 300, Declaration of Legislative Findings and Intent states: "...It is also the declared policy of the state to conserve and protect agricultural lands as valued natural and ecological resources which provide needed open spaces for clean air sheds, as well as for aesthetic purposes".
3. August 24, 1993, Hans Arnold, OHSWA Executive Director, writes letter to Mr. Angell, Chairman of Oneida County Farmland Protection Board, demanding involvement in review process and threatens use of Freedom of Information Law to obtain all correspondence, petitions, legal notices, maps, other material filed in response to renewal/expansion of Ag District.
4. OHSWA sends representative to August 31, 1993 meeting of Ag Board. Approx. 90 applications were reviewed. It was decided new forms would need to be filed. Joe Walsh, of Cornell Cooperative Extension and Ag Board member, stated this was a coincidence; the new forms would be more accurate, and it was very rare for an applicant to be denied. A 30-day extension for inclusion was granted.
5. October 1993 – 29 applications were accepted, 36 rejected, 14 needed further review, and 11 rightfully belonged in Boonville District. After discussion, a second postponement would be needed until legal questions could be answered.

Mike Gapin, of Oneida Co. Planning Dept. (also sits on Ag Board), says 1992 Ag District Revision Act would not allow them to include land on WLE-5 because it may become a landfill.

When Ag Board questioned the involvement of OHSWA, Mr. Angell produced second letter to him from Hans Arnold. Arnold requests the Board defer action on parcels located within potential landfill site WLE-5 until a determination can be made on suitability of the site for regional landfill.

6. Joe Paluck's property, which was originally accepted into the Ag District in October, is removed from the Ag District at Nov. 10, 1993 Ag Board meeting. Paluck property comprises one of the largest most important parcels within the landfill site.

7. Dec. 13, 1993, approximately 100 people attend public hearing on the Ag District. County Legislators were present and would make decision after hearing comments. Mr. Angell addresses public "We are not here to get into any discussion or debate...nor can we answer any questions."

Pat Brennan spoke on behalf of Farm Bureau's 600 members "If the Ag Protection Board excludes the farm (Joe Paluck) simply because the county may have a need for that property, then the Board has given up its responsibility. If this Board doesn't accept the role of advocate for farm protection, who will? "Farm Bureau strongly requests that Mr. Paluck's property be included in the Ag District #23. We ask this not as an obstruction to the process; it is clearly the correct thing to do."

James Mondrick, President of Oneida Co. Farmers Union spoke: The decision to exclude Paluck property from Ag District was "unduly influenced by those who wish to preserve WLE-5 as a landfill site". "Oneida County Farmers Union demands that the vote on...Paluck's property and other qualifying farmers and landowners be revisited, that no single consideration be allowed to override the overwhelming criteria pointing to inclusion, and that this property be voted into Agricultural District #23 as it should have been in the first place."

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8. Conflict of Interest noted - Interweaving of various groups in existence to protect farmland and environment. Environmental Management Council (EMC) on Oct. 26, 1993 passed resolution, supporting landfill siting methodology as a policy as it relates to review, expansion, creation, or termination of agricultural districts within Oneida County. Five of the thirteen members of EMC present that voted on the resolution, including Hans Arnold (OHSWA Director), work for or with OHSWA.

9. Arnold states in his second letter to Mr. Angell, “The Authority is well aware of social and economic importance of agriculture to our region and has reflected this importance in its deliberations.” They responded by making agriculture one of the most heavily weighted criteria in the siting methodology. “Many of the top 10 potential landfill sites were not considered further because they were located in Agricultural Districts and were made up in large part by active farms.”

As reported in Daily Sentinel Dec. 14, 1993 issue Mr. Angell said “That the properties were rejected because, although many were formerly agricultural land, it is not active farmland or is open space”. JOE PALUCK FARM WAS A WORKING DAIRY FARM AT THE TIME OF HIS APPLICATION.

Interestingly enough Mr. Angell is one of the landowners who benefited from belonging to an Ag District, as this was used to eliminate sites in Verona.

Allowing Joe Paluck’s land into the Ava/Western Ag District would have presented a huge roadblock for the Authority in their pursuit of his land.

Mr. Angell, 5th generation, Town of Verona dairy farm owner, currently (2005) sits on the OHSWA Board!