

## **LANDFILL SITING COMMITTEE MEETING MARCH 14, 2005**

The March 14, 2005, Landfill Siting Committee meeting was called to order by Chairman Virgil Gentz at 6:02pm. The pledge preceded the meeting. Virgil noted that all members of the Siting Committee were present except for George Melcher, due to an illness in his family, and he is excused tonight.

This meeting is for the residents of Kenosha County, especially those who are in the immediate area, to express their thoughts and concerns about the landfill expansion.

The Siting Committee is still waiting for a (RMT) ground water study from Waste Management. It should be out soon. After tonight's meeting the committee will meet in a closed session to discuss the issues and the concerns. Two issues that were brought up by Waste Management at the last meeting were property guarantees and direct payments.

**Michael Foss, 3400 – 176<sup>th</sup> Avenue** – Who determines the list of names for the property guarantee? The committee has not met on that and does not have an answer on that. If the southwest wind is bad, I can smell the odors. I have complained many times to Mike Infusino about it. The present list was drafted by Waste Management, Virgil has put Foss' name on the list, but the committee is here to listen tonight.

**Terry Tower, 4400 – 176<sup>th</sup> Avenue** – I sent a letter into the siting committee and does that need to be read into the minutes. Virgil stated that a copy has been given to the members and it does not need to be read aloud.

**Connie Bevry, 3900 – 200<sup>th</sup> Avenue** – I have three issues.

1. Current contract of 1200' setback allows putting a well on property anywhere we want, without this 1200' setback, landowners along Hwy. N and Hwy. 45 would have to have a variance on the deed.
2. Another personal concern is well water and air quality. She is looking for some kind of assurance of water quality. No one can prove that a landfill can cause a well to go bad. Aquifers can travel a long distance.
3. Air quality is another issue. There is a particle measuring system in place now. She has talked with the DNR on whether or not toxins are being filtered. She is unsure if any gas is being monitored at all; only particles. At a landfill in Pennsylvania, they have found toxins in the air six miles away. In 2003, a landfill in Pennsylvania was closed due to the toxic chemicals in the air.

I had also given the committee various other information regarding emergency funding, etc. and I hope you will take those things into consideration before signing another contract.

**John Callahan, 5210 – 200<sup>th</sup> Avenue** – I have lived in the town over 30 years and I have a couple of issues. What is this tier list? The other thing is my well went bad when W/M dug on the Coulter property across the street about 5 years ago. I believe there should be a 1200' setback and if they can't use the property, then don't buy it.

**Atty. Matt Quinn** – The two tier system that W/M came in with was \$3000.00 for people in the 1<sup>st</sup> tier and \$1000.00 for people in the 2<sup>nd</sup> tier. W/M put the list of names together.

**John Callahan** – Mike Infusino told him they would buy his house, but not his business. The first landfill area was never cleaned up and never had a liner. Then they put a liner in at ground level, but now they are going higher.

**Virgil Gentz** – We did take them to court back then. They did put in a liner.

**John Callahan** – The liner they put in was only supposed to be for the contour of the land. Now they are 40' up or more.

**Atty. Matt Quinn** – In 1978 or 1979 we took the DNR to court because they granted approval for the site. We requested a contested case. We had a big hearing and had experts testify as to the carcinogenic nature of substances in the landfill and then the DNR denied our contested case. We took it to the appellate court and they granted the contested case. After that, the DNR got to the legislature, they changed the law; they then took away the independent right to a contested case. That came back in another form under the control of the DNR. In the interim, the DNR made them comply with whatever rules they had at the time. In that one or two year period, between that and the agreement that was negotiated, W/M did a lot of work out there. The old site was called Kenosha Trucking and it was an absolute mess. They didn't have the money to do anything. The landfill originally was built by an indentation in the wetlands and there was a drop off. People got rid of their garbage by going to the end of the hill and dumping it in the wetland. Then they put a berm across to block it off. It is an issue for the DNR. We are waiting to get their report on ground water study (Residual Management Technology). When we get that report, we will have an expert do an independent study of the RMT report. We don't know what that report will say and there have been other reports with the same soil conditions out there. We don't know what the ground water issues will be; especially in light of the fact that they are asking for a variance from the 1200' level.

**Virgil Gentz** – I was referring to this at the beginning of the meeting and once we receive that, I will come back to the committee and ask that we hire a specialist in that area to study the data and see what we have to do. I hope everyone knows that the health and safety for the people of the Town of Paris is of utmost importance and it has always been that way.

**John Holloway, 15404 Burlington Road** - I'm like Terry and put my concerns in a letter form to the committee. One is the plan that W/M has presented to the fact the Sabin homestead area will be a cell. How will they adequately abandon the (water) well and put it in a cell? Second, regarding odor issues. He has read newspaper articles that drywall may be the greatest source of hydrogen sulfide in landfills and this may require

more recycling. Would like to see the committee or the Town of Paris hire a consultant to determine the good or the bad science within all the studies?

**Virgil Gentz** – There are a number of consultants. Atty. Quinn has contacted a couple of them and we are checking on their expertise.

**Atty. Matt Quinn** – There isn't just one expert. There are a variety of experts in such things as leachate recirculation, air issues, and ground water issues. We need to look at what W/M reports are showing. They need to be reviewed independently.

**Ed Kidera, 20405 – 45<sup>th</sup> Street** - Is there a project manager that would review all the data and deal with W/M on the issues?

**Virgil Gentz** – We are just starting the negotiation process. We may have to hire one or two people as consultants. It's very hard to be an expert in all areas.

**Ed Kidera** – All info feeds into one central point. A village would have a project manager, who takes all that data and that person would deal with W/M. He is relating to his years at Abbott Laboratories. If all people have separate responsibilities; it's not very effective. You should have one person who sees the overall picture and coordinates what you are getting on soil testing, water testing, what you are getting from the State and DNR and then you present a cohesive front to W/M. I don't think this can be solved by a committee of people contributing. All of this has to focus into a project manager who has the data and says here are the issues.

**Virgil Gentz** – Per State Statutes, we have a Siting Committee. We follow what the law says that we have to do. Using your suggestion, we could talk with the committee, and find a couple of people who have expertise in what you are suggesting. As Matt Quinn has said not only one person will be eligible to answer all the questions, but the committee is listening.

**Ed Kidera** – The distinction is that this is the person who gets the answers, not that he is omnipotent, but we can't let this be about separate issues. We can make a better impact if it was a cohesive response. We have a creek which runs through our property and connects into the dump property, about 1000' away. We are hoping it doesn't become the "love canal" of Wisconsin. He believes testing and monitoring is very important.

**Virgil Gentz** – As far as what exactly is being tested and monitored; we have been sent volumes of materials that have been sent to us over the years. It does take an expert to decipher and time to read. I agree with you Ed. We have come to the point that the landfill has been here a long time. I feel very confident in the persons that Atty. Matt Quinn has brought to us in the past and we have used, since he has been aboard with us.

**Keith Jackson, 4230 – 176<sup>th</sup> Avenue** – In the last 25-30 years that the dump has been here, how many problems (waterways, wells gone bad) have been proven to have been caused by the dump?

**Virgil Gentz** - It is very difficult to answer that. To my knowledge I don't believe we can truly attribute any right back to the landfill. I believe Connie mentioned that earlier. When you start talking about wells, you have to have a base point that you start checking your well from. Especially in water, some sort of monitoring of wells need to take place; in that area around the landfill, so that we have a base point. We will know if a change comes.

**Keith Jackson** – So the last 25-30 years, there's nothing on record that the landfill has caused no damage to either the environment or anybody's well?

**Virgil Gentz** – Not to our knowledge. We don't have expert ways of monitoring the air.

**Ed Kidera** – Air quality can be measured by the smell that something stinks. Water quality can exist for years and doesn't show up until people start getting nauseas, etc.

**Sandy Beth, 5607 – 200<sup>th</sup> Avenue** – She is concerned about the ponds (gravel pits) that are on the landfill grounds used to be crystal clear. They are now murky and black. Something must have happened there. What about the river water? Why aren't they being tested?

**Connie Bevy** - I would like to respond to Keith's question. The type of well monitoring they are doing at the landfill is a vertical well. You can get a bad test one day and not the next. It's a hard thing to identify.

**Virgil Gentz** – It probably would have been quite easy to monitor the ponds that Sandy was talking about, but when you start talking about the river, there are many tiles that run in there and have nothing to do with the landfill. It would be more difficult to prove.

**Ken Bevy, 3900 – 200<sup>th</sup> Avenue** - I have a problem with what the landfill is proposing. They are proposing to intrude on their neighbors with variances on their wells, without asking permission of their neighbor. From his perspective, if a property owner wants to have a variance on his property, generally he has to ask his neighbor, at an open meeting; to allow this to happen. With these variances on the wells, this is not required. I do not understand how or why and how this is fair. I would like to see with this next proposal, that we follow past rules and follow, at the least, the minimum requirements of the DNR. They made the rules for a reason. We passed around a petition with 300 plus signatures, with exactly these same rules to hold them back 1200' from Hwy. 45 and from wells.

**John Callahan** – In the past we have complained about the smell and at times it gets very bad. Even at some point, we have called the sheriff's department.

**Connie Bevy** – The DNR is required to make notes of all complaints. If you want it documented, call Joe Lourigan at the DNR.

**John Callahan** – Is it true that they can be hazardous waste in the landfill, like asbestos?

**Virgil Gentz** – They can bring certain things in, but I don't have a list in front of me.

**John Callahan** – He was there and they can put asbestos in a closed site. They open up a closed cell and it really stinks.

**Don Logan, 20877 – 45<sup>th</sup> Street** – I bought land knowing that the landfill would be gone in 2007. It has gotten so large now that I can see the trucks on the hill and the noise and the smell is always there. I am concerned with the value of my property. I would like to see a bigger area for the levels of compensation.

**Steve Lardinois, 20811 – 31<sup>st</sup> Street** – The landfill started small and it is quite massive now. This requires management and someone who can take the opinions and put them together into one voice. I purchased the property five years ago, but was a little hesitant because of the landfill. As it grows, we'll be able to see it and it will affect the value of my property. It will be in my line of sight and when it comes to being compensated; not only smell and water quality, you should also include line of sight.

**Ed Kidera** – I just wonder how many people in the room would like to see the dump get bigger? How about closer to Hwy. 45? Show of hands – none.

**Judy Sommers, 4002 – 200<sup>th</sup> Avenue** – The petition has over 300 names on it and I don't know why we are still negotiating that 1200' setback. I would like individual answers from the Siting Committee on how they feel about the 1200' setback. You have put our life in turmoil for a year and a half and I think it is time that we know how you feel about this 1200' setback.

**Virgil Gentz** – As a Siting Committee, we need to listen and evaluate all the information and the Committee will then have to make a decision. I don't agree with what W/M is asking for and the site being that large. We are here to listen.

**Judy Sommers** – Do you think they should get variances on our wells?

**Virgil Gentz** – I think that most wells should be out of that situation. I am not in favor of the size of the landfill that W/M is proposing.

**Judy Sommers** - I don't want W/M to get a variance on my well. I don't think it is right for any of you to even think about that. You are endangering us.

**Connie Bevy** – I don't think anyone, ever in eternity, should be expected to get a variance because a private company wanted to make money on garbage. It is not in the best interest of the community or the lands long term use. There is only one variance that has ever been drawn for that landfill and that variance was drawn for Mike Infusino's well. W/M either owns them or they have stayed back.

**Ken Bevy** – That is because we have a 1200' setback right now and the new proposal is asking for less.

**Terry Tower** – How does the rest of the committee feel about the 1200' setback?

**Atty. Matt Quinn** – The 1200' setback is a DNR regulation that says you can't construct a landfill any closer than 1200' from an existing well and a state highway. The DNR can grant about 4 or 5 variances. I see a problem in the law and that it doesn't address what effect it has on the person who has that well. The DNR in making that decision, is making a decision that puts that person with a well that requires a variance or a person that has property who wants to put in a well or to improve that well, require the later approval in order to do anything with the well. It is not addressed in the law properly. These are DNR rules under the administrative code. When all the information of the ground water study is said to be complete, by the Department of Natural Resources, then the matter will be set for a public hearing. Joe Lourigan of the DNR has assured Atty. Quinn that if we have concerns, we can get an independent study. Until that ground water data is available there is not a foundation to address the issues. It's conceivable, but probably not likely, that RMI will write a report that says the 1200' setback is necessary. I wouldn't hold my breath on it. Until all the data is out and until there has been a scientific review, it would not be fair for the committee to state an opinion on it. You hire an environmental consulting firm and if there are air issues, ground issues, they appoint a team leader or project manager. That person would then report to the standing committee. There is a lot of science involved before the committee can justifiably make a decision. The safety is an absolute major concern. Everyone has addressed that.

**Ken Monson, 15702 – 38<sup>th</sup> Street** – It can't be negotiated, even if the DNR permits it?

**Atty. Matt Quinn** – Yes, it can be negotiated. Some things can't be negotiated – based on standard landfill situation. We have more clout than that because of the clauses we have put in, in the past. If we didn't have a provision that required the approval of the town, I don't know where that would go. It is a contractual clause. If we did not have that clause, the DNR would be making the decision and the Waste Facility Siting Board would be the ultimate deciders. The ground water issues would not be the subject of arbitration.

**Ken Monson** – There's now way we can have language in what is being negotiated now that this will never get this far again and they will never come and ask. We can't put that in there?

**Atty. Matt Quinn** – I think you can. I'm trying to figure a way to do that. One board can not make determinations for a future board. I've thought of various things, but don't know if they apply. I haven't thought it 100% yet, anything like conditions on the land or majority vote of the people, not sure how far that would fly. The legislature has a lot of control over this whole process and could take authority away from towns. If you were to start from scratch in negotiating a landfill agreement today, I can tell you that they would never agree to a clause that the town board limits expansion. The law would not protect the town in that way. The best thing now would be if zoning was in place 14 months prior, but still could be overridden by a court.

**Ken Monson** – That is one point that I would like to see part of the negotiations. This process won't ever get this far again and there will be no further expansion. Even if the DNR allows it, I would like the 1200' setback to be part of the negotiation and that the Siting committee will not allow it. Also no stock piling of dirt on site or in the Town of Paris, must be hauled away.

**John Holloway** – Would the committee consider negotiating a surety bond or a fund that W/M would pay into? The state law requires the landfill be responsible for 40 years after closure. Basically, the life of a liner and cap will last for 40 years and most likely W/M will be gone before the problems start. Perhaps the Town should negotiate a fund, for after the 40 years, because at such time as the cap gets broken down by plastic breaking down or roots growing through it, water will go into the landfill and reactivate it. Other landfills have had land slides because the landfill is uneven. This fund would go beyond the 40 years.

**Virgil Gentz** - The Town does have some money put aside that could be used for different things.

**John Holloway** – One that he read about cost about \$215 million dollars to remediate it after it slides. Whose responsibility will it be? The way the law is set up now, the time period where they are responsible is where the landfill is most stable. Another reason for setbacks is in case the landfill slides, there will be a buffer zone between the landfill and the other property.

**Dave Sturino, 1750 – 200<sup>th</sup> Avenue** – In the event that the Sabin property is approved and the DNR grants the variance proximities to the highway, can W/M petition the DNR to create new cells on the existing site close to Hwy. 45? Can they come back to us and say, "You approved it here and now we are going to expand on the existing site." Certainly there is enough land there to do that.

**Virgil Gentz** - They can probably come forward at any time and ask something, of some future committee or board. I'm **not** in favor of that.

**Dave Sturino** – In regards to tipping fees; does the board have the power to negotiate tipping fees with this new site?

**Virgil Gentz** – We've already negotiated that when we changed how we weigh the garbage from gate cubic yards to tons.

**Dave Sturino** – Eighty-five percent of the garbage is coming from Illinois. I would hope that you would ask for more money.

**Connie Bevy** – Metro Franklin is asking twice the amount of money for out of state trash at \$8.00/ton and local is \$4.00/ton. This is a proposal and has not been accepted yet.

**Dave Sturino** - We have the power to say no to other businesses, or no subdivisions, or a gas station on the corner, but we seem to be powerless when it comes to W/M.

**Ken Bevy** – I can't see W/M signing a contract that says there will be no further expansion. From research, the best way for a town to stop an expansion is through an ordinance; by writing it "x" amount of months before. In our contract, it says we can not make an ordinance stating that. You have to stop them outside of the contract; you aren't going to do it inside – they won't sign it. If you want to stop them after this one, you have to think about that now.

**Atty. Matt Quinn** – I'm curious what you are saying? The town can make an ordinance that they can't expand the landfill?

**Ken Bevy** – You have to word so that they can't. The town can set "x" amount of acres aside for a landfill and nothing else beyond that.

**Atty. Matt Quinn** – It is my understanding that the Sabin property is not zoned for a landfill now. That zoning has been in place for more than 14 months. It's under the zoning and uses of County zoning because we don't have our own town zoning.

**Ken Bevy** – What about buy out right? Pay the landowners for the property around the landfill to stop any expansion. It would have to be thought out ahead of time.

**Atty. Matt Quinn** – It would be like purchase of development rights or a possible covenant of some kind. Buying land is expensive. You buy the land, put a restriction on it and then you sell it. No one has done this; it is all in discussion. I haven't heard anybody in this town say they wanted that landfill to expand beyond what they are requesting now.

**Ken Bevy** – We have to plan ahead to stop them now. We haven't done that in the past and we really haven't done much of anything to stop them from expanding.

**Joe Tiso, 4200 – 200<sup>th</sup> Avenue** – I would like to see wording in the contract that would supply an outside mediator or arbitrator for outside problems that could arise for the resident. I would also like to see a monetary fund set up for any future illnesses that could arise as a result of the landfill.

**Shelly Jackson, 4230 – 176<sup>th</sup> Avenue** – What kind of guidelines will there be if your well has been fine and all of a sudden it is bad? Will there bacteria counts or limits?

**Virgil Gentz** – In the past wells have been tested for certain things, but after this water study we will know more. We'll have future communication with more knowledgeable people to see what should be tested for and what they should be testing for.

**Connie Bevy** – She read an article from JS online about a dump that had been capped and a developer wanted to build on the adjacent property. They started digging and gas started coming up. There was no buffer zone between the landfill and the private property. The community people were in danger and wanted the development stopped, but the developer has his right to develop it. Another issue we haven't talked about is fire. If that thing lights up, it is a hazardous fire and we will need an evacuation plan for people and livestock. What is the plan for that in regards to boarding? In Indiana they fought a landfill fire for a couple months. These are issues we should think about.

**Terry Tower** – His well does get tested by the landfill and that is all well and good, but what happens if something goes bad. It should be stated in the contract if we have some kind of recourse, either for the town or the resident. I know the landfill is also testing for dust and this is another issued we should be concerned about.

**Mike Foss** – My main issue is health and we need to test the air and water. I would like to see the committee stand strong on the 1200' set back and then let W/M pack up and leave.

**Keith Jackson** – Does the DNR have an opinion on this particular site? I know the original spot had a good clay base, but does the DNR want to continue with this site because they don't want to develop a site any place else.

**Virgil Gentz** – With the discussion that I have had with the DNR, they thought this was a very good place for a landfill. W/M has said because of the depth and type of clay, this is a good spot for a landfill.

**Keith Jackson** – Is the DNR still pushing; do they want it to stay here?

**Virgil Gentz** – All I know is that the DNR has said in the past that there will be a landfill in southeastern Wisconsin and there's one site in Paris. Times have changed and maybe that's not the opinion they all have at this time.

**Connie Bevy** – They have to remain impartial. They have guidelines and minimum criteria to follow. They are aware that people are concerned.

**Steve Lardinois** – How does our law allow Illinois to bring truck loads and truck loads of recyclables from Illinois into Wisconsin?

**Virgil Gentz** – There was a court case on that.

**Atty. Matt Quinn** – It's under federal law because it's Interstate Commerce. There were a variety of different attempts by the legislature to prevent waste from coming in from Illinois. In fact W/M came to us when the law passed because their volume went down. They appealed the law, it went to Appellate Court and got overturned and then the Supreme Court overturned the legislative enactment. One of the retaliation from Illinois against Wisconsin is that they won't accept our hazardous waste. There have been creative attempts to stop the Illinois garbage. Over the years we've looked at the dollar and cents. Other landfills are either higher or lower depending on how they are divided up and/or any other responsibilities. We also have 6% increases per year and that is why we have as much coming in at this time. That is only the money, and waste from Wisconsin or Illinois doesn't address the serious health issue. Connie mentioned the initial site report and everybody should see a copy of that, because it is very instructive. DNR does try to stay neutral because they have to be the judge and they will have to make an administrative decision. The administrative decision is made within the department. On the letter that was received on the site, they do state some certain things that make it dubious. I don't think it is a shoe in at the DNR level. In answer to another question that came up – W/M bought this site because it had a permit; it was an existing site. If they tried to do a new landfill somewhere else, it would be impossible. No one wants to have a landfill anywhere.

**Steve Lardinois** - It just seems that since Wisconsin has the law about recyclables and Illinois doesn't, and if they are bringing in recyclables that seems to be breaking Wisconsin laws.

**Atty. Matt Quinn** – Yes, big cities like Chicago got an extension of time of which they had to meet certain standards and the characterization of waste. It has not been an argument that has carried any weight with the higher court levels.

**John Holloway** – Would the committee consider putting a financial incentive for resolving some of the air quality issues? With old odor problems, they worked on it, but at their own pace. It went on and on and then they came to the Town Board requesting a relief on tipping fees. The Town Board held that back until they resolved the odor issue and W/M resolved it quickly. A standard needs to be set and if an outstanding order issue W/M has a time period to resolve it and after time is up and problem is still there, a fine

kicks in. Their incentive now is to be a good neighbor, but sometimes it takes financial incentive to get them to move.

**Ed Kidera** – If this were a giant poker game, we seem to have a terrific hand. What is it that W/M has that is going to trump all of our concerns?

**Virgil Gentz** – I guess I would say because they have a landfill there now. I'm not going to negotiate things in public, but I think the biggest thing so far over the years is because they had a landfill here. Our job as a Siting Committee is to work with the people in this room and in our community to see that whatever happens here is done in a safe and healthy manner. There is a time when it comes to an end; there's no doubt about it.

**Ron Lourigan, 1087 – 180<sup>th</sup> Avenue** – This question is specifically for Chairman Gentz and Supervisor Ashmus. On the January 18<sup>th</sup> Siting Committee meeting, George Melcher, the Kenosha County Director of Planning and Zoning, stated that a sewer lateral should be extended to Pheasant Run Facility to eliminate the trucking of leachate. As sewer expansion in Kenosha County historically is done with annexation, why did you as elected representatives of Paris Township, not argue Mr. Melcher's statement and what have you done to protect this site from annexation? Not what are you going to do, but what have you done?

**Virgil Gentz** – Sounds like you're running for office and you're trying to make a statement. Evidently you must not have read one of our contracts that we have. It states that there will be no sewer extension to the landfill without town board approval. I'm not interested in changing that.

**Judy Sommers** – Just as a comment. I had W/M and one of their hydrogeologist at my kitchen table and I asked them what happens if my well goes bad. If you could prove it was us, we would dig another well. I said what if you could not find good water. They said they would bring city water out to you. I said did you know where city water is from me? And they didn't. They had no answers for me if my well went bad.

**Atty. Matt Quinn** – The key to the water issue is base line testing. Here's where the problems come in. Whether those standards are required by the DNR for testing of those wells, are wide enough to cover the potential substances that can come from the landfill. W/M or any other company has to meet those standards. How often are the standards changed or keeping up with the times. If you get a proper base line; periodic testing means something. If you don't, it doesn't. Most important thing is the number of monitoring wells you have around the landfill and having sufficient perimeter to guarantee that the problem from the landfill will be caught in time before it does affect somebody's well.

**Judy Sommers** – Bill Gohlke, who was our well driller, lives on Hwy. N and was wondering if he sent the Town any information on aquifers. She received an email from him and Bill stated that the best aquifer in the state is under that landfill. He has done a lot of well in this area, but he can't be sure how many wells are being supplied. He also believes that the Bristol common well is coming from that same aquifer.

**Virgil Gentz** – The deep one or the shallow one on Hwy. 45?

**Judy Sommers** – I don't know, but he said it's the one supplying municipal water.

**Virgil Gentz** – That's by Bristol School – that's the deep one and the one on Hwy. 45 is much shallower. Is that well 1400 – 1800' deep? I don't know. You could be right, I don't know that.

**Judy Sommers** – He seemed very concerned. He's been concerned for years because of the aquifer under the landfill, for how big it is and the amount of homes it supplies.

**John Holloway** – Do you think DNR would be willing to send someone to meet with residents to explain how they come up with the criteria they use? Or wouldn't that be a good use of their time?

**Atty. Matt Quinn** – I think what they would be willing to do is to discuss standards. Whether there are any violations documented? There obviously is an odor problem. Has that been resolved?

**Connie Bevy** – The odor comes and goes; the nature of the beast.

**Virgil Gentz** - They say when it's opened up and they put the liquid in, you'll get it from 6-8:00am, especially with southwest winds. You could go without an odor for a period of months. Heavy air in December is a problem too. When they open up the cell and put the liquid in, as with their contract with Abbott Laboratories, is the worse. If you haven't had a chance to speak yet, we would like to hear from you and then we'll continue with the others that would like to say more.

**Sandy Beth** – I have lived on Hwy. 45, along with my Dad, for 60 plus years. We have taken great pride in how our neighborhood looked, with beautiful oak and maple trees. I don't think there's anyone here that wouldn't think of a landfill on Hwy. N and 45, as just plain ugly for the Town of Paris. I have this huge mound of dirt, behind Roger's and my house, and I don't like the fact that I can't see the sun rise. Roger has said this before, we don't like this. I don't like to sit out on my back deck and smell the garbage when I am fixing lunch. You think I want a big landfill to look at every time I leave my house and see that ugly thing sitting there. When I drive through Franklin, I think it is down right disgusting. I for one probably will not stay there if it comes. I can't imagine that this Siting Committee and our Town Board, after I've lived there for 60+ years, would think that I would have to move because you put a site just like that near my house.

**Connie Bevy** – Nobody's property line, other than Mr. Sabin's, is closer than 1200' to this site. From my home to the current site, it's  $\frac{3}{4}$  of a mile. From my reading, you need a mile buffer, to do this well. W/M is proposing to put this thing 300' from the road and we are begging for 1200'. I'm beginning to think that 1200' is not adequate. Then they want to recirculate the leachate on the northeast expansion. I can't imagine what the odor will be like. If we start looking at closure, I have given you guys some information on an issue that was taken on by the State of Wisconsin in 2002 called "Zero Waste". We have wonderful capabilities these days of recycling, renewing and reusing.

**Atty. Matt Quinn** – I just wanted to comment on the leachate recirculation. They will be applying to do that on the existing site. This is not on the new. I've spoke extensively with the regulator that will make the key decision. I have semi-oral assurances that they would listen to what the town had to say, but there's no right to a hearing on it. It's internal. It's within the structure for DNR decision for an operating landfill. The issue that I intend to address to Casey at Pheasant Run is their indication of what they want to do with an internal piping lateral injection of leachate. There is no detail to it. They would also like to do direct spray. There are two types, one is where they spray it on the trucks as it comes in and that's bad. The other is to spray within the confines of the landfill which means spraying leachate on an open area. I indicated that I am quite concerned because the town has had odor problems in the past and we have made indications that they should have greater detail on this. W/M has indicated that if that

became an odor problem then they would cease doing it. Until there is a lot of detail about what they are going to do, I don't think the department should be making a decision. I have addressed that with them and told them that I was going to call Casey and tell him the same thing. Of course I will have to talk with their attorney first because I can't talk to a client of another attorney.

**Connie Bevy** – I have heard that there is a group of people in Wisconsin filing a suit with the EPA for allowing this experimental research on these landfills that we have no control over. Have you heard anything?

**Ken Bevy** – We've given you a negotiating tool with the petition; what else can we do as a community to help? What power do the citizen's have?

**Virgil Gentz** – I've been to a lot of meetings and listened to many people. People have said many positive things about why the landfill should be limited or should end.

**Ken Bevy** – I would like you as a committee to respect the people that come here and the people who signed their name to the petitions and give that more weight, rather than the comments you've heard.

**Ed Kidera** – Going back to what Sandy said about the beauty of Paris Township. We've been talking analytically of water quality in general. We're trading the beauty, the clean streams, the water and the air we breathe for money and this is called environmental prostitution.

**Steve Schultz, 17312 – 38<sup>th</sup> Street** – Will there ever be any landscaping done on that hill like trees or grass, etc?

**Virgil Gentz** – Certain places there can be bushes or rocks have been discussed, but no big trees can be planted on there.

**Mike Foss** – Will they be allowed to add the extra 35' on the new cells?

**Virgil Gentz** – They are asking for some other things already. Would have to check notes, but it might be approximately that.

**Ken Bevy** – The one they are on now, does it still need to go about 20'?

**Virgil Gentz** – Depends where you're at on it. When I was there a few weeks ago, the west side they were very close to where they can be. On the east side, we need more top cover and where we are dumping now they had another 25-30'.

**Terry Tower** – When you talk about W/M doing landscaping, 4' trees are not landscaping. Forty foot trees are landscaping and little trees don't do much.

**Steve Schultz** – Is there any stipulations about taking more trees out along the area on Hwy. N?

**Virgil Gentz** – In the plan they are asking to take a lot of trees out.

**Betty Kidera, 20405 – 45<sup>th</sup> Street** – Her biggest complaint is the noise. The beeping of the trucks when they are backing up.

**Atty. Matt Quinn** – I've seen a clause in one of the contracts pertaining to the beep of the trucks. It said it should not be any louder than what is required by OSHA. I don't know how loud that is.

**Tom Gorkinski, Committee Member** – I don't know who feels worse; myself sitting here or you sitting there. What I mean by that is it has been a long evening. A lot of you have made your comments, pros or cons, toward the landfill expansion. It would be a lot easier if there was a consolidated voice that said, Yes – we are for this or No – we are against it. What I am hearing is if this should happen, we want this or that. What is the difference between a landfill, a gravel pit and a casino?

**Connie Bevy** – A gravel pit has a hole, maybe leaves water and the hole can be filled in and the land can be used again. A casino comes in and that is forever, a trust to the Indians, and you can no longer use it for public property. A landfill brings everybody's garbage in and you have to baby-sit it for life.

**Tom Gorlinski** – I'm sorry, but you are wrong. The right answer is one thing, money. How do you think the Indians acquired land and have the right to do the things that they do? They went to Washington, D.C. and had the right people pass the right laws.

**Ed Kidera** - The money from W/M is buying the influence it needs to go into these areas. These people are buying their way into the government to get what they want.

**Tom Gorlinski** - It's smaller or lower on a lower level. When you start going to a higher level that is where the big money is. The DNR made accommodations for some land zoned conservancy that Wilmot High School wanted to build on. DNR said if you give us some wetlands here, you can use the wetlands there. The reason they could do that is because the DNR gets their funding from the senate and the assembly. A senator may call and ask for a certain thing to be done. The more they are able to get things done, the better it looks for the future and that is how things work. That's how the mechanics of politics work; in the state of Wisconsin and the federal government. Don't feel like this group is not listening to you or don't want to do things that you want. There are some things that you mentioned tonight that may be able to be accomplished. The other side of this is very frustrating for all you and the committee.

**Rick Poisl, 3810 – 176<sup>th</sup> Avenue** – From what you are saying is, if we can't stop the landfill; let's get the most money that we can.

**Jeff Ashmus** – In response to Ron Lourigan's question; I am not in favor of any city sewer in the town. I took notes from all of your comments. When it comes time to negotiate, I would like to urge the committee to support the 1200' setback. All the issues will be discussed in our meeting.

**Virgil Gentz** – Thank you to the residents who have been with us since the beginning and thank you all for your input.

On an Ashmus/Beth motion and second, the meeting was adjourned at 8:18 p.m.

Respectfully submitted,

Terri Fonk  
Siting Comm. Clerk