

Parma Town Board meeting held on Tuesday, June 8, 2010 at the
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

ATTENDANCE

Supervisor	Peter McCann
Councilman	Carm Carmestro
Councilman	James Smith
Councilman	Gary Comardo
Councilman	James Roose
Highway Superintendent	Brian Speer

OTHERS IN ATTENDANCE

Helen Ives, Park Foreman Joe Petricone, James Zollweg, Roger Koss, Gene DeMeyer, Don Wells, Ken Blackburn, John Chart, John Frillici, Matt and Jack Flagg, Charles Lissow, Carol Kluth, Carrie Webster, Russell Wood, and other unidentified members of the public.

CALL TO ORDER

Supervisor McCann called the meeting to order at 6:30 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Supervisor McCann noted emergency exit procedures. It was noted that the meeting is being digitally recorded.

TOWN HALL PARK SOIL TESTING

Supervisor McCann explained the purpose of the meeting was to provide and overview the letter received from the New York State Department of Health and recommendations. He noted there would be discussion by the Town Board on a general plan to move forward and that there would be no decision tonight on a final resolution to the issue.

Supervisor McCann reviewed parts of the letter including “Based on this review, we at the New York State Department of Health (NYSDOH) they find that the results indicate arsenic is present in surface soils, within the boundary of the area sampled, above levels typically found in New York State. At this time there appears to be sufficient grass cover to provide a barrier to exposure. However, with the wear and tear that can be expected during a football season, it is suggested that the Town consider steps to minimize the potential for human exposure to arsenic at this location. Steps may include the removal of surface soils to a depth of 6”-12”, and backfilling with clean soil. It may also be possible to install a layer of demarcation on the top of the existing soil surface, and then backfill with clean soil to a depth of 6’-12’. We suggest that Town officials work closely with their consultant to determine which approach is best for the Town and its residents while being protective of public health.” In addition he noted that the NYSDOH suggested that the Town consider collecting samples surrounding the field to verify the any contaminant is limited to the footprint of the field. Supervisor McCann also noted baseball fields south and west of the football field, swale areas to the north and west and a multiuse area north of the football field as possible sites for further sampling if identified as areas where contaminated soil may have been used. Supervisor McCann asked the Town Board to share their thoughts and what they might like to do.

Councilman Comardo wished to speak with consultants on the options and next steps.

Councilman Smith noted he had done research on the issue and found that chronic exposure meaning continuous 24/7 exposure and that the potential for ingestion is unlikely. He explained that a child weighing 70 lbs. would have to eat 2.2 pounds of this dirt to be exposed to the lowest impact. He provided a bag of dirt to demonstrate how much dirt would have to be consumed. He is not convinced that anything needs to be done.

Councilman Carmestro agreed with Councilman Smith. He felt no action was necessary and noted that the NYSDOH is recommending not saying we have to. He expressed how miffed he was that the story was leaked to the newspaper and not presented to the public by the Town Board first. In addition, he shared the concerns expressed in a letter from a taxpayer he received. Points in the letter included why the newspaper released the information before the

Town Board meeting; how Mr. Chart knew that soil from All Season Subdivision used at the Park football field was contaminated; if additional soil tests are done and arsenic is found whose to say where the soil came from; felt that the decision was made before the meeting, and asked if the Hilton Central School District fields had been tested. Councilman Carmestro felt there would be arsenic in all the yards in the Town of Parma.

Councilman Comardo recommended contacting Chatfield as the next step and find out what is involved in pursuing either of the courses of action.

Supervisor McCann felt it was prudent to talk to our engineer and get a plan. Estimates should be obtained for both ways – redoing the field and the demarcation method. He also felt areas of potential problems should be identified and fixed to eliminate the potential for constant legal challenges or we would have the option to just bite the bullet. He suggested not allowing any sports to be played on the football field and use alternatives.

Councilman Roose agreed with Councilmen Smith and Carmestro on the degree of severity. He felt that it was not a matter that we should have to worry about and that it has been blown out of proportion. However, he understands the concern of what he felt was a small group of residents and felt that for a reasonable expense covering the field it would be appropriate. He felt the engineer should be contacted, determine what should be done and if the cost to remediate was small; just do it.

The question was raised where we will find clean dirt to replace what would be removed.

Councilman Comardo expressed that the Town Board should do due diligence, should talk to Chatfield and sample other areas in the park. Supervisor McCann agreed.

Councilman Smith expressed concern that this could just go on forever when he does not feel that we need to do anything. If a barrier was not that expensive and was put down, he felt that the overall geography of the field areas will be affected would be affected.

Councilman Carmestro inquired if a referendum vote could be done to see how the public feels about it. It was noted by the Town Clerk that a referendum was not possible to poll for an opinion; that money would have to be raised. This information was based on the response received when the Town Board was researching the Library/Community Center project.

There was discussion on what the cost might be. Park Foreman Petricone indicated he had researched and felt that it would cost \$43,000 to \$50,000 to cover with 6 inches of topsoil. It was not clear whether this included all the costs that might be involved.

There was discussion, debate, comments and questions raised on the following concerns expressed by those present at the meeting:

- Cost of either suggested remediation plan
- What would be done with removed dirt?
- An analogy of the depth of arsenic over the field; should place sand over it and reseed; wasting any additional money would be overkill
- Alternate action that might be considered.
 - Suggestion to cover with sand and reseed
 - Turf Care - topdress and reseed to build on existing field with sand at considerably less money
- How many parents have expressed concern in this administration and in the last administration? It was noted that no complaints had been received. One parent in the audience indicated he was concerned.
- Responsibility of the supplier – it was noted the Town has no culpability in that it was not known at the time the soil was purchased.
- Original source of soil is in an existing neighborhood why is the Department of Health not concerned about those locations
- Federal challenge in court right now; judge will tell us we have to repair it or that it is fine.
- Parents aware at Hilton Raider scrimmages last year and there were no complaints; not one team cancelled; no lost registrations for team members; questions why stop use of the field.
- If DOH was that concerned, they would have required that it be roped off now.
- If remediation was decided, could it be done in the off season
- Alluded to there could be other spots with this soil; take random samples; determine if there are problems outside of the football field
- Intimidated by lawsuit; do not shy away from the lawsuit
- Just because there has been no complaints wrong to associate safety of field to a cost to fix

