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FEATURED

Niagara Sanitation Landfill fence going up

WHEATFIELD: Work under way at Niagara Sanitation Landfill.

By Mia Summerson mia.summerson@niagara-gazette.com Oct 26, 2017



MIA SUMMERSON/staffSome fence poles have been installed near properties on Forbes Street. After a year and 10 months waiting for this work to begin, Wheatfield Supervisor Robert Cliffe said he's hopeful the project will be completed by year's end



WHEATFIELD — Well over a year and a half after the town learned the former Niagara Sanitation Landfill's safety rating had been downgraded, a fence is finally going up around the site.

The state Department of Environmental Conservation confirmed Thursday that a crew has begun work on the project. The fence has been a long time coming, initially proposed in early 2016 after the DEC downgraded the safety level of the site, located off of Nash Road and currently owned by the town, following a remediation project.

"The fence is being installed," a DEC spokesperson said in a email statement to the Gazette. "DEC consultants have been at the site this week to oversee fence installation and gate placement."

In 2014 and 2015, the DEC removed 80 truckloads of waste that had been moved to the landfill from

Love Canal in the 1960s. In January 2016, the site was downgraded from from Class 3 to Class 2, which the DEC defines as presenting "a significant threat to public health and/or the environment." The site was also added to the federal Superfund list.

A major concern in this changed involved the fact that the site was regularly used for recreational activities like walking or riding ATVs, which posed the risk of damaging the cap put in place after the remediation. In February 2016, state Sen. Rob Ortt announced that his office had secured \$75,000 in state funding to construct the fence. It took a year and 10 months for construction to start.

Wheatfield Supervisor Robert Cliffe said projects like this can take some time to kick off, especially when there are grants involved. He said he hopes to see the fence completed before the end of the year.

"It's not the end of the road as far as the project goes," he said. "The DEC is still looking at further remediation, but this is a major step in favor of keeping people off of that site."

In August, the Wheatfield Town Board voted to hire New York State Fence, Inc., based out of Hilton, to complete the project at a cost of \$106,800, leaving the town on the hook for the remaining \$31,800 after the grant is factored in. New York State Fence was the lowest of three bidders on the project. The town also hired Wendel to provide supervisory services for the project at a cost of \$8,900.

In March, 65 people who live near the landfill, many of them on Forbes Street in North Tonawanda, filed a \$5.9 billion lawsuit against the town and various currently or formerly existing companies that dumped at the landfill. The lawsuit alleges that the plaintiffs have experienced harm to either their person or their property as a result of prolonged exposure to the chemicals contained in the dump and that defendants failed to properly notify nearby residents of any danger.

One plaintiff, Cory D'Agostino of Forbes Street, expressed concern that the residents were not notified that the fence construction had begun. He also worried that workers weren't taking proper safety precautions. He also took issue with where the holes were being dug, which he said is near where test samples had been taken. Just beyond his backyard, fence posts could be seen on Thursday afternoon.

"I think this should be addressed, the residents should know what's going on," D'Agostino said. He added that they're "drilling for posts for the fence right next to testing wells that (were) put in by the DEC, that's insane."

As mentioned above, the DEC has reported that it is supervising the fence construction.

In July, the DEC announced that the results of soil sampling done on properties surrounding the landfill showed that the contaminants did not appear to be spreading. However, while the early results look hopeful, testing is expected to be ongoing.

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