



New York State Department of Environmental Conservation

DE  
File

MEMORANDUM

TO: Janice K. Corr  
FROM: Dave Engel  
SUBJECT: Conklin Landfill Consent Order  
DATE: August 31, 1987

41370

You inquired whether DEC will be reimbursed for 75% of the settlement reached between Conklin and residents referred to in the attached article.

The DEC will not. The settlement described requires the municipality to pay costs incurred by residents. The municipal assistance agreement which will be entered into between the Department and the Town of Conklin after their grant application has been approved, will require the municipality to reimburse the Department 75% of recovered costs.

DE:ljd  
Enclosure

10-17-1 (5/83)

TO: ~~XXXXXXXXXXXXXXXXXXXX~~

David Engel

The attached is submitted for your signature by

Joseph Forti

It has been checked and approved by

NAME	INITIAL	DATE
F. Bifera	FVB	9/1/87
J. Periconi		

# Conklin settles water suit for \$23,000

## Residents sought \$2.2 million total

By DON SBARRA  
Staff Writer

A \$2.2 million class action suit filed by a group of residents against the Town of Conklin was settled with a \$23,000 cash payment and guaranteed access to public water supplies, officials said yesterday.

The suit, filed more than two years ago, alleged that the town was responsible for possible water contamination at about 12

households near two former town landfills. The landfills are located roughly in the center of the 590-acre Broome Corporate Park south of Route 7 and Powers Road. The town has obtained federal assistance to cover 75 percent of landfill cleanup costs.

Town Supervisor Phillip R. Marks yesterday said residents agreed to settle the suit after it became clear that public water would be available as part of a \$1.4 million water system being installed for the corporate park. He said the planned cleanup of the two abandoned landfills also served to ease the concerns of residents.

"This is a big responsibility off our backs. The people wanted water; I think that was

their main concern," Marks said. "Our insurance company would not accept that \$2.2 million as part of our coverage. We would have been strapped with whatever the court decided."

The water system is expected to be completed in January. Conklin has no public water supply.

The \$23,000 was for costs incurred by the residents, including \$18,783 for attorney's fees. Each homeowner is to get roughly \$100, according to town records.

The settlement was approved by a federal judge earlier this month.

Daniel L. Gorman, the attorney representing the residents, yesterday said the

suit was originally filed because town officials refused to supply public water. He said while the public water system is part of the corporate park, its estimated value to his clients is about \$300,000, making the total settlement value with the town worth roughly \$323,000.

Town officials continue to maintain that although prior tests by an engineering firm have shown ground water contamination near the larger of the two landfills, ground formations in the area "make it highly unlikely that contamination has migrated."

The larger landfill, at an 80-acre site about five miles south of Binghamton, was closed in 1977.

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*Handwritten notes:*  
ATFD -  
I assume we (DEC) will get 75% of that amount but more than this as advised by Dave

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