

**FMC MIDDLEPORT
CAP SUMMARY NOTES
MARCH 16, 2005**

Members present: Barb Albone, Christa Lutz, Larry Lutz, Alyssa Ostrowski, Marinna Ostrowski, Rob Richards, Rebecca Schweigert, John Shuttleworth, David Smith,
FMC representatives present: Brian Vain, Patt Fagan, Bob Wojcik
Agency representative present: Mike Hinton, DEC
Guest: Sharrie Wartell, Community Interaction Consulting, Inc.
Facilitator: Ann Howard

The agenda for this meeting included a presentation by Sharrie Wartell on the FMC Price Protection Program as well as an FMC update, agency update and community update.

FMC PRICE PROTECTION PROGRAM

Sharrie Wartell began her presentation with an introduction and overview of Community Interaction Consulting, Inc., (CIC) the private consulting firm retained by FMC to administer the Price Protection Program (PPP). CIC has extensive experience in a variety of services that include establishing and facilitating CAPs, price protection programs, temporary relocation programs, property purchase and community relocation programs, and facilitating community forums, meetings, and special events. Sharrie has been personally involved in price protection programs in many parts of the country and she brings a wide range of expertise to the FMC program.

FMC's PPP began in 2003 and included the 14 properties on South Vernon that were remediated. All occupants of the involved homes were temporarily relocated while the work was underway. The PPP for the original 14 homes will expire December 31, 2005.

As additional testing impacts more properties, two additional PPPs have been developed. These programs include homes in the Air Deposition sampling area and homes in the Tributary and Culvert area. As word of the program and its positive reputation spread, the number of homeowners participating in the program has grown. Sharrie noted that it has been very important for residents to contact the PPP office for information to avoid misleading or erroneous information.

(NOTE: The office/information center is located at 15 Main Street.)

The purpose of the PPP is to support residential property values impacted by unfavorable market perceptions caused by the testing and remediation activities by FMC. It helps residents who are impacted by these activities to remain in their homes. The program also provides marketing support if needed, and guarantees a property value that is not impacted by unfavorable market perceptions.

Sharrie outlined the steps in the process for a homeowner electing to participate in the program. All participants must sign a Participation Agreement. In order to remain eligible, homeowners must follow several required steps before a house can be put on the market. If a homeowner decided to sell their home during the eligibility period, and they have executed a Participation Agreement and the house does not sell within 180 days, FMC will purchase the property. If FMC acquires the property, 8% is deducted from the Guaranteed Value at closing. CIC will provide assistance during all phases of the process, including marketing assistance and negotiating assistance. All fees associated with the sale of a property are covered by FMC.

Sharrie provided the following statistics on each of the separate PP programs sponsored by FMC (as of March 16, 2005). Sharrie indicated she expected additional participants to sign up

Phases	Start/End dates	# properties currently in program	# of sales	# of FMC properties	Total # of properties	# of properties sold outside program w/ CIC assistance
S. Vernon & Main St.	6/1/03-12/31/05	1	3	1	4	0
Trib. & Culvert	6/15/04-6/14/09	3	1	0	3	0
Air Depos.	5/1/04-4/30/09	15	3	4	18	2

Brian Vain noted that FMC strongly supports this program and believes it is the right thing to do on behalf of the property owners in Middleport. Sharrie reported that the feedback from participants has been consistently positive.

It was agreed that Sharrie would be invited back to a future CAP meeting to provide an updated status report on the PPP.

FMC UPDATE

Business update

Brian reported that work continues on the proposal for the Command #ME business. This proposal is under review by FMC corporate. If approved, the first production for this would begin at the Middleport plant in January 2007. Brian will be traveling to Brail on April 10 to observe the bulk unloading of the 95 DMD product shipped from Middleport. Brian suggested the CAP might want to tour the new bulk loading facility within the plant in May.

Some FMC products have recently come off patent. This may result in more competition from other manufacturers. However, overall all volumes currently are holding steady.

Environmental Update

FMC has prepared and submitted to the Agencies a draft work plan for sampling of soil and sediment on the tributary north of Pearson Road up to Route 104. Once approved, this work will start later in the year. Brian noted that the new properties being sampled on the tributary (approximately 10) would be included in the Price Protection Program.

FMC has been directed by the Agencies to perform remedial work on the northern railroad area on both the north and south sides of the railroad tracks (now FMC property). This work has to be coordinated with the railroad company, and will be done in two phases. FMC has submitted a draft Scope of Work for Phase One to the Agencies for review and FMC has received their comments. Phase One includes the ditches that run north and south along the tracks outside of FMC's fence line. Phase Two includes the northwest section that FMC capped and fenced in 2003. Brian suggested that the Phase One work plan could be reviewed at future CAP meeting.

An update for property owners in the Air Deposition areas was sent out the week of 3/7. This one-page mailing provides information about the status of the study and answered some reoccurring questions. Study results will be provided to property owners later in 2005.

A CAP member noted that there had been rumors that there was additional contamination on the school property adjacent to the railroad property. Both Brian and Mike Hinton confirmed that this is not the case. This concern may have arisen because access to the railroad area sampling is across school property.

AGENCY UPDATE

Mike Hinton provided additional information on the sampling studies Brian reviewed. Mike emphasized that it takes a long time to review sampling data. Samples go to an independent laboratory for verification and there are numerous samples that have to be analyzed.

Mike confirmed that the school district superintendent had contacted DEC by letter regarding concerns about potential additional contamination on school property. Mike said that the superintendent was advised that there are no new issues involving the school property and that DEC will work directly with school to make this clear.

COMMUNITY UPDATE

Ann reminded CAP members that it was agreed to have a Community Update as a permanent item on meeting agendas. This is an opportunity for members to share with each other and F<C representatives issues of concern that they hear about and to just generally report on things they are involved with that may be of interest to other CAP members.

Several members reported that they had been traveling since the last meeting. Our student representatives reported on the successful school musical that had recently performed in. Rebecca reported that there will be two village trustee positions in the May election and that the village budget was being prepared.

PLANT TOUR

IT WAS AGREED THAT A PLANT TOUR WILL TAKE PLACE AT 5 PM ON MAY 4 (IMMEDIATELY BEFORE THE CAP MEETING AT 6).

Meeting adjourned at 7:50 PM.

NEXT MEETING – THE NEXT MEETING OF THE CAP WILL BE WEDNESDAY APRIL 4, 6-8 PM. THE AGENDA WILL INCLUDE AN ENCORE OF THE CAP MEMBER ORIENTATION