

**Energy, Environment and Sustainability Committee  
Regular Meeting Minutes**

**DATE & TIME:** February 2, 2023 – 3:00 PM (or immediately following the Law Enforcement and Public Safety Committee meeting)  
**LOCATION:** Karen L. Binder Library, 6th Floor, County Office Building, Kingston  
**PRESIDING OFFICER:** Chair Manna Jo Greene  
**LEGISLATIVE STAFF:** Chelsea Villalba, Legislative Employee  
**PRESENT:** Deputy Chair Gina Hansut, Legislators Joseph Maloney (arrived 3:05 PM), Aaron Levine (3:05 PM), Eric Stewart (arrived 3:10 PM) and Legislative Chair Tracey A. Bartels  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Phil Erner; Nicholas Hvozda – Department of the Environment; Nathan Litwin – Director of Recovery & Resilience; Director Dennis Doyle, Deputy Director Amanda LaValle – Planning Department; Executive Director Greg Ollivier – Ulster County Resource Recovery Agency (UCRRA); David Gordon, Esq. – Legislative Counsel; William Kemble – Daily Freeman

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Chair Greene called the meeting to order at 3:00 PM and led the Pledge of Allegiance.

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**Motion No. 1:** Moved to **APPROVE** the Minutes of the December 8, 2022 Regular Meeting and the December 19, 2022 Special Meeting of the Energy, Environment & Sustainability Committee

**Motion By:** Legislator Hansut  
**Motion Seconded By:** Chair Bartels

**Discussion:** None. Hearing none, Chair Greene called the question.

**Voting In Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels  
**Voting Against:** None  
**Votes in Favor:** 6  
**Votes Against:** 0  
**Disposition:** Minutes **APPROVED**

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Chair Greene recognized Deputy Director of Planning, Amanda LaValle to present information and updates on the Lower Esopus Creek and a proposed revision of the Interim Release Protocol to the Committee.

Chair Greene recognized Director of Planning, Dennis Doyle to discuss the submission of public comment on the proposed revision.

Chair Greene recognized Director of the Ulster County Department of the Environment Nick Hvozda to provide department updates to the Committee regarding the Reuse Innovation Center and the Hudson 7.

Chair Greene recognized Executive Director of the Ulster County Resource Recovery Agency Greg Ollivier to provide updates to the Committee regarding a comprehensive county landfill feasibility study.

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Resolutions for the February 14, 2023 Session of the Legislature

**Resolution No. 5** - Setting A Public Hearing On Proposed Local Law No. 12 Of 2022, A Local Law Providing For The Rights Of The Residents Of Ulster County To Clean Water, And For The Rights Of The Hudson River, Also Known As Mahicannituck, To Be Held On Tuesday, March 14, 2023 At 7:05 PM

**Resolution Summary:** Sets a Public Hearing on Proposed Local Law No. 12 of 2022.

**Motion No. 2:** **Moved Resolution No. 5 for DISCUSSION**

**Motion By:** Legislator Stewart

**Motion Seconded By:** Legislator Hansut

**Discussion:** Legislators Maloney, Bartels, and Hansut discussed the need to specify implementation, defense, regulation, and enforcement. Legislator Levine asked the sponsor if other municipalities or states have proposed similar legislation. Legislator Erner provided examples of Troy, and St. Lawrence and Erie Counties and specified that this proposed law is to provide more protection for the .

**Disposition:** **NO ACTION TAKEN**

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**Resolution No. 38** — Authorizing The Chair Of The Legislature To Execute A Development Agreement With AC Power Development Company LLC, For Development Of A Solar Array At The Hertel Landfill Site, A Foreclosure Eligible Parcel – Department Of Planning

**Resolution Summary:** Authorizes the entering of a PILOT agreement with AC Power for development of a solar array at the Hertel Landfill Site.

**Motion No. 3:** **Moved Resolution No. 38 for DISCUSSION**

**Motion Made By:** Chair Bartels

**Motion Seconded By:** Legislator Maloney

**Discussion:** Chair Greene recognized Deputy Director LaValle to provide background on the property, including that it is an EPA Superfund site and that the sale, foreclosure and transfer of this property is a Type II SEQRA action. Legislator Erner inquired as to why the County is not developing solar to use for its electrical needs. Chair Greene replied that it is something to consider going forward. Further discussion ensued. Hearing no further discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels

**Voting Against:** None

**No. of Votes in Favor:** 6

**No. of Votes Against:** 0

**Disposition:** **Resolution ADOPTED**

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**Resolution No. 39** — Amending The 2023 Ulster County Budget To Accept Grant Funds Authorized In Prior Years – Department Of The Environment

**Resolution Summary:** Amends the 2023 Ulster County Budget to accept \$119,000.00 in grant funding from the NYS Department of Environmental Conservation, authorized in 2022.

**Motion No. 4:** **Moved Resolution No. 39 for DISCUSSION**

**Motion Made By:** Chair Bartels  
**Motion Seconded By:** Legislator Hansut

**Discussion:** Chair Greene recognized Director Hvozda to provide background on these grants to the committee. Hearing no further discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** **Resolution ADOPTED**

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**Resolution No. 40** — Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Lewis Solar Partners, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487

**Resolution Summary:** Authorizes an agreement to enter into a PILOT agreement with Lewis Solar Partners, LLC for the building and operations of a solar energy system.

**Motion No. 5:** **Moved Resolution No. 40 for DISCUSSION**

**Motion Made By:** Legislator Maloney  
**Motion Seconded By:** Legislator Stewart

**Discussion:** Legislator Maloney and Chair Bartels requested of the Comptroller a chart of PILOT agreement terms to ensure they follow the state model accurately. Hearing no further discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** **Resolution ADOPTED**

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**Resolution No. 41** — Approving The Execution Of A Contract Amendment For \$20,000.00, Causing The Aggregate Contract Plus Amendment Amount To Be In Excess Of \$50,000.00, Entered Into By The County – County Waste And Recycling Service, Inc. – Department Of Public Works

**Resolution Summary:** Contract amendment #4 for an additional \$20,000 to update the site locations, equipment, and pickup schedule to include the County’s Crisis Stabilization Center, to increase the funds available for the as-needed rental and pickup of roll-off containers for miscellaneous garbage and/or disposal of constructions and demolition, and to increase the not-to-exceed amount for trash and dual stream recycling services for various locations in Ulster County. 100% County. Amended Term: 11/1/22-12/31/23. Total Amount: \$233,500.76.

**Motion No. 6:** **Moved Resolution No. 41 for DISCUSSION**

**Motion Made By:** Legislator Maloney

**Motion Seconded By:** Legislator Stewart

**Discussion:** Chair Greene shared concerns about single stream recycling facilitation in Ulster County offices while the UCRRA recommended dual stream recycling, and planned to speak with the Public Works, Transportation & Capital Projects Committee regarding her concerns. Hearing no further discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels

**Voting Against:** None

**No. of Votes in Favor:** 6

**No. of Votes Against:** 0

**Disposition:** **Resolution ADOPTED**

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**Resolution No. 42** — Approving The Execution Of A Contract For \$400,000.00 Entered Into By The County – RUPCO, Inc. – Department Of Finance – ARPA

**Resolution Summary:** Approves the execution of a \$400,000.00 contract with RUPCO, Inc. through American Rescue Plan Act funding for low- and moderate-income homeowners living in Ulster County for energy retrofits and for hands-on training with oversight and training provided by experienced energy retrofit contractors, for new employees, interns, or trainees in the field of residential green energy retrofit work. 100% Federal. Term 3/1/23 – 8/1/24.

**Motion No. 7:** **Moved Resolution No. 42 for DISCUSSION**

**Motion Made By:** Legislator Maloney

**Motion Seconded By:** Legislator Levine

**Discussion:** Chair Greene and Legislator Maloney discussed the oversight of this contract and how it will impact community members. Chair Bartels inquired if administrative costs are negotiable, and Director Doyle stated that they are, and that these costs are a standard percentage. Hearing no further discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels

**Voting Against:** Legislator Maloney

**No. of Votes in Favor:** 5

**No. of Votes Against:** 1

**Disposition:** **Resolution ADOPTED**

**Resolution No. 43** — Approving The Execution Of A Contract For \$136,666.00 Entered Into By The County – LaBella Associates D.P.C. – Department Of Finance – ARPA

**Resolution Summary:** Approves the execution of a \$136,666.00 contract with LaBella Associates D.P.C. for Phase I and II Environmental Site Assessments for certain foreclosure eligible properties – Capital Project.

**Motion No. 8:** **Moved Resolution No. 43 for DISCUSSION**

**Motion Made By:** Legislator Stewart

**Motion Seconded By:** Legislator Hansut

**Discussion:** Hearing no discussion, Chair Greene called the question.

**Voting in Favor:** Legislators Erner, Greene, Hansut, Maloney, Stewart and Bartels

**Voting Against:** None

**No. of Votes in Favor:** 6

**No. of Votes Against:** 0

**Disposition:** **Resolution ADOPTED**

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Chair Greene postponed New and Old Business discussion items for the next meeting due to time concerns.

The Committee briefly discussed Resolution No. 37 that was not on the committee agenda.

### **Adjournment**

**Motion Made By:** Legislator Maloney

**Motion Seconded By:** Legislator Levine

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**TIME:** 4:59 PM

**Respectfully submitted:** Clerk Villalba

**Approved:** March 2, 2023