

**Establishing A Solid Waste Planning Commission Pursuant To Ulster County Charter § C-11K To Review County Plans For Solid Waste Management And Recommend Alternative Means Of Solid Waste Disposal**

Referred to: The Public Works and Capital Projects Committee (Chairwoman Petit and Legislators Fabiano, Greene, Litts, and Nolan), and The Energy and Environment Committee (Chairwoman Greene and Legislators Eckert, Heppner, Wawro, and Woltman)

Chairwoman of the Legislature, Tracey A. Bartels, offers the following:

WHEREAS, the residents and business of Ulster County currently generate approximately 120,000-130,000 tons of **municipal** solid waste annually; and

WHEREAS, the Ulster County Resource Recovery Agency (“UCRRA”) is responsible for, among other things, the management and disposal of the county’s solid waste, and development of the solid waste management plan pursuant to state law; and

WHEREAS, UCRRA currently arranges for disposal of the county’s solid waste at the Seneca Meadows landfill in Waterloo, NY, some 240 miles from the UCRRA transfer facility in the Town of Ulster; and

WHEREAS, UCRRA, is responsible for the development of the county’s Local Solid Waste Management Plan; and has retained Cornerstone, PLLC (“Cornerstone”) as its engineering and technical advisor; and

WHEREAS, the continued availability of space at Seneca Meadows is uncertain, and in any event transport there is relatively expensive and damaging to the environment; and

WHEREAS, a number of alternative solid waste management strategies may provide more efficient and reliable means of disposal, including self reliance, regionalization through cooperation with other counties, and alternative technologies, among others; and

WHEREAS, pursuant to Resolution No. 394 of November 18, 2014 the Ulster County Legislature appointed a Solid Waste Improvement Commission to investigate potential alternative management strategies for the county’s handling, diversion and disposal of solid waste; and

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WHEREAS the Solid Waste Improvement Commission has issued a draft report of its findings; and

WHEREAS the county legislature is the policymaking body for the county and has approval authority over the draft Local Solid Waste Management Plan and over any UCRRA bonding more than \$500,000; and

WHEREAS, UCRRA and the legislature agree to cooperate and coordinate on gathering data on the options and reviewing available strategies; and

WHEREAS, pursuant to Ulster County Charter Section C-46 11 the legislature is empowered: To conduct studies and investigations in furtherance of its legislative functions and, in connection therewith, to obtain and employ professional and technical advice, appoint citizens' committees, commissions and boards, subpoena witnesses, administer oaths, and require the production of books, papers and other evidence deemed necessary or material to such studies or investigations; and

WHEREAS, pursuant to Ulster County Charter Section C-16 and the Administrative Code Section A2-11: "Advisory committees, commissions and boards. Members of all citizens' committees, commissions and boards appointed pursuant to Section C-11K of the Charter shall serve at the pleasure of the County Legislature. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature. The Chairman of the County Legislature shall be a member ex-officio of all such committees, commissions and boards;" now, therefore be it

RESOLVED, that that the Solid Waste Planning Commission shall be established to review the Cornerstone draft Local Solid Waste Management Plan, and provide policy guidance to Cornerstone in drafting said plan; to review the draft recommendations of the Solid Waste Improvement Committee; to investigate other available information relating to options for handling and disposal of the county's solid waste, including regionalization and intermunicipal compacts; and draft recommendations for legislation; and, be it further

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RESOLVED, that the Solid Waste Planning Commission shall be comprised of:

- Three (3) members of the Ulster County Legislature whom shall be appointed by the Majority Leader, of which one appointment shall be a member of the Energy and Environment Committee and one appointment shall be a member of the Public Works and Capital Projects Committee;
- Three (3) members of the Ulster County Legislature whom shall be appointed by the Minority Leader, of which one appointment shall be a member of the Energy and Environment Committee and one appointment shall be a member of the Public Works and Capital Projects Committee;
- Three (3) members of the UCRRA Board, appointed by the Chair of the Legislature upon the recommendation of the UCRRA Board;
- ~~The Acting County Executive or her designee;~~ and be it further

**RESOLVED, that a request will be made for a representative from the Executive's Office to serve in an ex-officio manner in order to provide support as needed, to encourage an open dialogue and to provide continuity; and, be it further**

RESOLVED, that the Executive Director of the UCRRA shall serve as Technical Advisor to the Solid Waste Planning Commission and shall evaluate the suitability of proposals for technologies and alternatives for the county's handling and disposal of solid waste, and report such evaluations to the Commission from time to time or as requested by the Commission; and, be it further

RESOLVED, that the Solid Waste Planning Commission members shall serve for a term commencing at the effective date of this Resolution through December 31, 2019; and, be it further

RESOLVED, that the Members of the Solid Waste Planning Commission shall be appointed no later than fifteen days after this Resolution is adopted, and the UCRRA Board shall make their recommendations to the Chair of the Legislature within ten days of adoption of this Resolution; and, be it further

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RESOLVED, that the Chair of the Legislature shall designate the Chair of the Solid Waste Planning Commission upon her appointment of the members thereof,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 22              NOES: 1  
(Noes: Legislator Petit)

Passed Committee: Public Works and Capital Projects as amended on March 6, 2019

Passed Committee: Energy and Environment on March 7, 2019

FINANCIAL IMPACT:  
NONE

Legislator Heppner motioned, seconded by Legislator Eckert, to amend the resolution to add the word “municipal” to the first WHEREAS, to strike the last line in the second RESOLVED and add an additional RESOLVED below it, and to amend the Charter section referenced in the 11<sup>th</sup> WHEREAS.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23              NOES: 0

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19<sup>th</sup> Day of March in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21<sup>st</sup> Day of March in the year Two Thousand and Nineteen.

[s] Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature