

Ulster County Legislature



UC RRA Reform Committee Meeting Minutes

June 13, 2024 at 9:00 AM

KL Binder Library, 6th Floor, County Office Building, Kingston

Committee Members:

Mike Baden, Chair

Representative, Ulster County Association of Town Supervisors and Mayors

Tracey Bartels, Vice-Chair

Legislative Chair Designee

Legislator Manna Jo Greene

Energy, Environment & Sustainability Representative

Laura Petit

Minority Designee

Comptroller March Gallagher

Ulster County Comptroller

Deputy County Executive Amanda LaValle

Ulster County Executive Designee

Jim Gordon, Vice-Chair

UCRRA Board of Directors

PRESIDING OFFICER: Chair Baden

LEGISLATIVE STAFF: Michael Tierney, Legislative Support Specialist

PRESENT: Chair Baden, Vice-Chair Bartels (9:10 AM), Legislator Greene, Comptroller Gallagher, Deputy County Executive Amanda LaValle, Laura Pettit, Vice-Chair UCRRA Board of Directors

ABSENT: UCRRA Vice-Chair Gordon

QUORUM PRESENT: Yes

OTHER ATTENDEES: UCRRA Executive Director Marc Rider

Call Meeting to Order: 9:07 AM

Approval of the May 10th, May 23rd, May 30th & June 7, 2024 Meeting Minutes

Legislator Greene not wanting three of the legislative appointments from the same community, Chair Baden responded that one of the five appointees must reside either in the Town of Ulster or Town of New Paltz and doesn't have to be an elected official, it has to be someone who lives in that community.

Comptroller Gallagher and Chair Baden discussed language for appointments to a board, with Gallagher suggesting tweaks to address Vice-Chair Bartels' concerns as she didn't want three appointees that are department heads and making recommendation that Legislative Counsel will configure the language.

Chair Baden proposed a three-year cycle for appointments, with one or two appointments from the County Executive and county legislature up for renewal each year, and one appointment from the Ulster County Association of town supervisors and mayors.

Vice-Chair Bartels suggested changing board structure to allow for elected officials, which would require state legislation.

Vice-Chair Bartels expressed concern about prescribing the retention of 5 board members, while Chair Baden and Comptroller Gallagher agreed that the legislature should have the authority to appoint new members.

Chair Baden and Comptroller Gallagher agreed that the legislature should have the authority to appoint new members.

Committee members discussed the possibility of increasing the board's membership through enabling legislation.

Comptroller Gallagher expressed concern about employees of legislature or executive serving on board, perceiving direct control and influence.

Chair Baden suggested alternative approach: limiting number of elected officials on board, with no more than two from legislature and one from executive.

Vice-Chair Bartels and Chair Baden discussed potential conflicts of interest in appointing transfer station operator, with Bartels highlighting the need to consider conflicts and potential recusals.

Comptroller Gallagher provided legal context on voting rights for sitting members of a legislative body on contracts, emphasizing that they can vote as long as they don't have a financial interest.

Vice-Chair Bartels pointed out the ex-officio means by virtue of the office and does not mean that the seat is non-voting unless specifically provided for in legislation.

Vice-Chair Bartels and Chair Baden discussed the challenge of making appointments in December due to respect for the incoming legislature.

Legislator Greene and Chair Baden agreed that ending terms on December 31 is problematic from a functional standpoint, as the new legislature needs time to settle in.

Vice-Chair Bartels and Legislator Greene discussed changing the start date of board member terms from January to April. Vice-Chair Bartels expressed belief that it is more functional given that appointments are rarely made before that time anyway given respect for the incoming Legislature. Legislator Greene felt that December is more appropriate, and appointments should be made by outgoing legislature.

Chair Baden and UCRRA Executive Director Marc Rider agreed that new board members wouldn't be affected by the change and raised concern about the budget process.

Vice-Chair Bartels and Legislator Greene discussed the potential for outgoing Legislatures to make appointments in December to start in January but acknowledge potential pushback from incoming body and public.

Committee members debated changing size of board, with differing opinions on timeline and scope of study.

Chair Baden suggested three three-year terms with term limits to keep board fresh.

Comptroller Gallagher outlined budget process for county executive and legislature.

Comptroller Gallagher expressed concern about the compressed timeline for the revised budget and the impact on executive budget.

Mike Baden suggested including a caveat in the recommendation to consult the budget director on the net service fee.

UCRRA Executive Director Marc Rider questioned why a service fee wouldn't be included in the master contract.

Deputy County Executive LaValle suggested including operational costs in the master contract beyond capital expenses.

Chair Baden argued that haulers will raise prices if tipping fees are increased, rather than leaving it to the legislature to control net service fees.

Legislator Greene suggested separating net service fee for operations versus capital, as expensive capital expenses are forthcoming.

Legislator Greene believes that the tipping fees should reflect operations and she said if there is a reason to have part of the net service fee, cover operations there has to be a good reason but for capital, its already built in unless its changed and she is trying to get the agency and the legislature to work together rather than putting in measures that will make the agency more autonomous.

Vice-Chair Bartels and Chair Baden discussed the failure of the state to address the capacity crisis in New York, with Vice-Chair Bartels expressing frustration at the lack of action and Baden providing context on the political factors at play.

Chair Baden expressed concern not giving as much autonomy to the agency as they can, fearing it could lead to a disconnect between the board and the county.

Comptroller Gallagher seeks votes on key issues, including bonding and agency vs. department.

Comptroller Gallagher believes that the discussion about bonding and the discussion about net service fee are directly tied to the capital and operations of what Legislator Greene was proposing and without the agency's ability to bond or push back in that service fee that this project will not do well.

Vice-Chair Bartels suggested prioritizing questions for Legislative Counsel regarding binding authority and employee serving on the board.

UCRRA Executive Director Marc Rider suggested invoicing by end of year to help cover current year's deficit.

Deputy County Executive LaValle and UCRRA Executive Director Marc Rider discussed tipping fees and budget reserves for waste management.

Comptroller Gallagher and Chair Mike Baden discussed the inter-governmental agency section of the report, which is missing a brief discussion. They agree that the contract, board composition, and future of the agency are inter-governmental and not strictly financial.

Next Meetings: Friday, June 21, 2024 @ 3:00 PM
Thursday, June 26, 2024 @ 9:00 AM

Adjournment

Motion No. 1: MOTION TO ADJOURN

Motion Made By: Legislator Greene
Motion Seconded By: Laura Petit
No. of Votes in Favor: 6
No. of Votes Against: 0

TIME: 10:52 AM

Respectfully submitted: Lizvett Bost, Legislative Administrative Assistant
Minutes Approved: June 26, 2024