

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

DATE & TIME: April 6, 2023 – 3:00 PM
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 (left 5:00 PM) and Legislators Aaron Levine, Joseph Maloney, Eric Stewart (arrived 3:15 PM) and Tracey Bartels
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Europa McGovern – Department of the Environment; Executive Director Greg Ollivier – Ulster County Resource Recovery Agency (UCRRA); David Gordon, Esq. – Legislative Counsel; Ted Griese – Environmental Management Council; Dean DePew, Sr. – Deputy Supervisor of Plattekill; Karol Knapp Iapoce, David Angelitto and Mary Angelitto – Plattekill; Henry Gage, Jr. – Build Green Now

Chair Greene called the meeting to order at 3:08 PM and led the Pledge of Allegiance.

Motion No. 1: **Moved to APPROVE the Minutes of the March 2, 2023 Regular Meeting of the Energy, Environment & Sustainability Committee**

Motion By: Legislator Hansut
Motion Seconded By: Legislator Stewart

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

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

Chair Greene recognized Europa McGovern of the Ulster County Department of the Environment to provide department updates to the Committee on the Reuse Innovation Center, Hudson 7 Ulster County Representative, and the Bard Student Climate Project.

Chair Greene recognized Executive Director of the Ulster County Resource Recovery Agency Greg Ollivier to provide updates to the Committee regarding the end of a Request For Proposals for landfill siting, waste diversion collaboration efforts with Transfer Stations and Town Supervisors for efficiency and expansion, and the Request For Statement of Interest to substantially reduce solid waste. Mr. Ollivier informed the Committee that the planning for a county landfill is preliminary and that a location for such a project has yet to be secured and would require major stakeholder engagement efforts.

Chair Greene recognized Ted Griese of the Environmental Management Council to provide updates to the Committee. Mr. Griese discussed a presentation on Electric Vehicle charging stations viewed by the Council and upcoming Earth Day events.

Resolutions for the April 18, 2023 Session of the Legislature

Resolution No. 200 – Opposing A County Wide Landfill In The Town Of Plattekill

Resolution Summary: The Ulster County Legislature would assume a position of opposition toward the building of a landfill in the Town of Plattekill.

Motion No. 2: Moved Resolution No. 200 for DISCUSSION

Motion By: Legislator Stewart
Motion Seconded By: Legislator Maloney

Discussion: Chair Green recognized Karol Knapp to speak on the critical environmental areas and potential traffic hazards affected by a landfill in Plattekill. Chair Greene recognized Platekill Deputy Supervisor Dean DePew to discuss the hazards of a landfill and community unrest surrounding such a project, and request the adoption of Resolution No. 200. Legislators Maloney, Stewart, Bartels, Levine, and Greene expressed their opposition for the Resolution, and Legislator Hansut expressed her support. Legislators Maloney and Hansut suggested including the names of specific locations in the Resolution. The Committee discussed postponement of the Resolution. Hearing no further discussion, the Committee decided to postpone the Resolution for one month with sponsor consent.

Motion No. 3: Moved to POSTPONE Resolution No. 200

Motion By: Legislator Stewart
Motion Seconded By: Legislator Maloney

Voting In Favor: Legislators Greene, Hansut, Levine, Maloney, Stewart & Bartels
Voting Against: None
Votes in Favor: 6
Votes Against: 0

Disposition: Resolution POSTPONED FOR ONE MONTH

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. 4: Moved Resolution No. 5 for DISCUSSION

Discussion: Chair Greene advised the Committee that the sponsor of the Resolution requested that no action be taken. Hearing no further discussion, the Committee agreed to Take No Action at the request of the sponsor of the Resolution.

Disposition: NO ACTION TAKEN

Resolution No. 79 — Urging New York State To Approve And Implement An Opt-Out Community Distributed Generation (CDG) Program In New York

Resolution Summary: Urges the State Legislature to implement an opt-out Community Distributed Generation (CDG) program for local governments to give residents and businesses access to clean energy by automatically enrolling them in community solar projects through the state’s Community Choice Aggregation (CCA) policy.

Motion No. 5: Moved Resolution No. 79 for DISCUSSION

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Levine

Discussion: Hearing no further discussion, the Committee agreed to Take No Action at the request of the sponsor of the Resolution.

Disposition: NO ACTION TAKEN

Resolution No. 146 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Robert Cruickshank to the Environmental Management Council (EMC) until December 31, 2025.

Resolution No. 147 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of James Easley to the Environmental Management Council (EMC) until December 31, 2025.

Resolution No. 148 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of William More to the Environmental Management Council (EMC) until December 31, 2025.

Motion No. 6: Moved to BLOCK Resolution Nos. 146, 147 & 148

Motion Made By: Legislator Stewart
Motion Seconded By: Legislator Levine

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

Voting In Favor: Legislators Greene, Levine, Maloney, Stewart and Bartels
Voting Against: None

Votes in Favor: 5
Votes Against: 0
Disposition: **Resolutions BLOCKED**

Discussion: Chair Greene asked if there was any discussion. Hearing none, Chair Greene called for a vote on the blocked Resolution.

Voting In Favor: Legislators Greene, Levine, Maloney, Stewart and Bartels
Voting Against: None
Votes in Favor: 5
Votes Against: 0

Disposition: **Resolutions ADOPTED**

Resolution No. 149 — Confirming Appointment Of Member To The Hudson River Drinking Water Intermunicipal Council

Resolution Summary: Confirms the appointment of Amanda LaValle as the Ulster County representative to the Hudson River Drinking Water Intermunicipal Council (Hudson 7) until December 31, 2023.

Motion No. 8: **Moved Resolution No. 149 for DISCUSSION**

Motion Made By: Legislator Levine
Motion Seconded By: Legislator Maloney

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

Voting In Favor: Legislators Greene, Levine, Maloney, Stewart and Bartels
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 201 — Opposing The Discharge Of Contaminated Water From Indian Point Into The Hudson River And Supporting New York State Senate Bill S5181 and Assembly Bill A5338 Amending The Environmental Conservation Law To Prohibit The Discharge Of Any Radiological Agent Into New York State Waters

Resolution Summary: The Ulster County Legislature would assume a position of opposition toward the release of over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River, and supports the same action of the New York Legislature.

Motion No. 9: **Moved Resolution No. 201 for DISCUSSION**

Motion Made By: Legislator Levine
Motion Seconded By: Legislator Stewart

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

Voting In Favor: Legislators Levine, Stewart, Maloney and Bartels
Voting Against: None
Voting Abstention: Legislator Greene
Votes in Favor: 4
Votes Against: 0
Disposition: **Resolution ADOPTED**

Chair Greene tabled New and Old Business discussion items for the next meeting, in the interest of time.

Adjournment

Motion Made By: Legislator Levine
Motion Seconded By: Legislator Stewart
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 5:05 PM

Respectfully submitted: Chelsea Villalba, Legislative Employee
Approved: May 4, 2023



Ulster County Legislature
Energy, Environment and Sustainability Committee
244 Fair Street
Kingston, NY 12402

RE: Potential County Landfill Sites in the Town of Plattekill

Dear Committee Members,

My name is Karol Knapp Iapocce. I am a Clintondale resident and an environmental consultant with Aspen Environmental. I fully understand that the potential environmental impacts of any proposed landfill siting must undergo vigorous scrutiny during the necessary SEQRA (State Environmental Quality Review Act) process. However, I would like to shed some relevant facts to be considered early on in this process thereby eliminating the sites in the Town of Plattekill at this early stage, without spending our taxpayer money on further review and preventing even more anguish for my community.

Foremost is the consideration of aquatic resources and significant natural communities. According to NYSDEC's Environmental Resource Mapper (ERM), the first reference to be used for any environmental review, both sites lie proximate and amidst 4 separate areas identified by NYSDEC as Significant Natural Communities (Figure 1). Significant Natural Communities are defined by NYSDEC as locations of rare or high quality habitats, ecosystems or ecological areas. NY Natural Heritage documents the location of these natural communities where the community type is rare in NYS or where the community at that location is a high quality example and meets specific documented criteria for state significance in terms of size, undisturbed and intact condition, and quality of the surrounding landscape.

NYSDEC's ERM specifically identifies four areas in Plattekill which neighbor the potential landfill sites as High Quality Occurrences of Uncommon Community Types. (Figure 1a) Near the Camp Sunset Road site, they include a high quality Red maple hardwood swamp located about ¾ of a mile west, and Hemlock Ridge, a NYSDEC multiple use area, situated a little over a mile east of the site. Located approximately one mile northeast the Hertel site is the southern extent of Illinois Mountain, an area which contains an uncommon, high quality beech-maple mesic forest. In fact, in an effort to further protect this valuable natural community, the Town of Lloyd and other organizations are attempting to have Illinois Mountain designated as a Critical Environmental Area by NYSDEC. Northeast of the Hertel site also lies Pine Hole Pond, a locally rare dwarf shrub bog containing several State endangered species. Furthermore, according to NYSDEC's ERM, the Hertel site also lies in close proximity and may contain the State endangered Bog turtle. Finally, both sites are wooded and contain vast habitat for the federally protected Indiana and long eared bats.

With regard to aquatic resources, both sites contain and lie adjacent to an abundance of wetlands and water courses which are protected by federal and state regulations.

Specifically, significant portions of the Hertel site are protected aquatic resources (Figures 2, 3 & 4). The site contains portions of 4 separate NYS protected wetlands as well as additional federal wetlands, protected under provisions of the Clean Water Act.

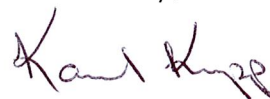
Additionally, the wetlands on the north end of this site are expansive enough to comprise two separate areas of headwaters of the Pancake Hollow Brook. The Pancake Hollow Brook is a NYS Protected Class B(t) stream – Class B being of sufficient quality to support swimming and contact recreation but not drinking water (although just downstream along Pancake Hollow Road, the stream changes to Class A), and (t) meaning that the water may support a trout population, thus affording it special consideration and protection. These protected aquatic resources, both the streams and their associated wetlands, flank the potential landfill location.

The southern portion of the identified potential site appears to be included in order to provide alternate access to the landfill. This parcel leg is very near to but does not contain State protected wetlands, as such generally have a minimum size requirement of 12.4 acres. However, federally protected wetlands do exist in this area as well as isolated and none protected wetlands. Connectivity to the protected streams is likely.

The Sunset site also contains significant wetlands (Figures 5 & 6). Specifically, running south to north the entire length of the site is a State protected wetland and Lake Sunset sits near the site's northwest corner. Both these resources form a headwater of Black Creek, a Class B protected stream. Additional State protected wetlands are situated in close proximity to the east, west and south of the site. Federally protected wetlands and isolated wetlands are also present on the site, some of which are most likely connected, directly or indirectly, to the Quassaic Creek, located roughly ½ mile from the site.

While I have not inspected and ground truthed all wetland resources on the sites, I can confirm that the aquatic resources on and adjacent both sites are significant. I can also confirm the presence of wetlands between the identified Hertel site landfill area and each of the 4 identified points of access to public roadways. I hope not to need to delineate these two sites in opposition to the County's proposed landfill siting. I am trusting that based upon these very preliminary findings of both significant aquatic resources on and adjacent to these two sites, and the presence of several neighboring uncommon, high quality natural communities, identified as being valuable not only to the population of Plattekill, but New York State as a whole, this Committee will eliminate any further consideration of the siting of a county wide landfill within the Town of Plattekill.

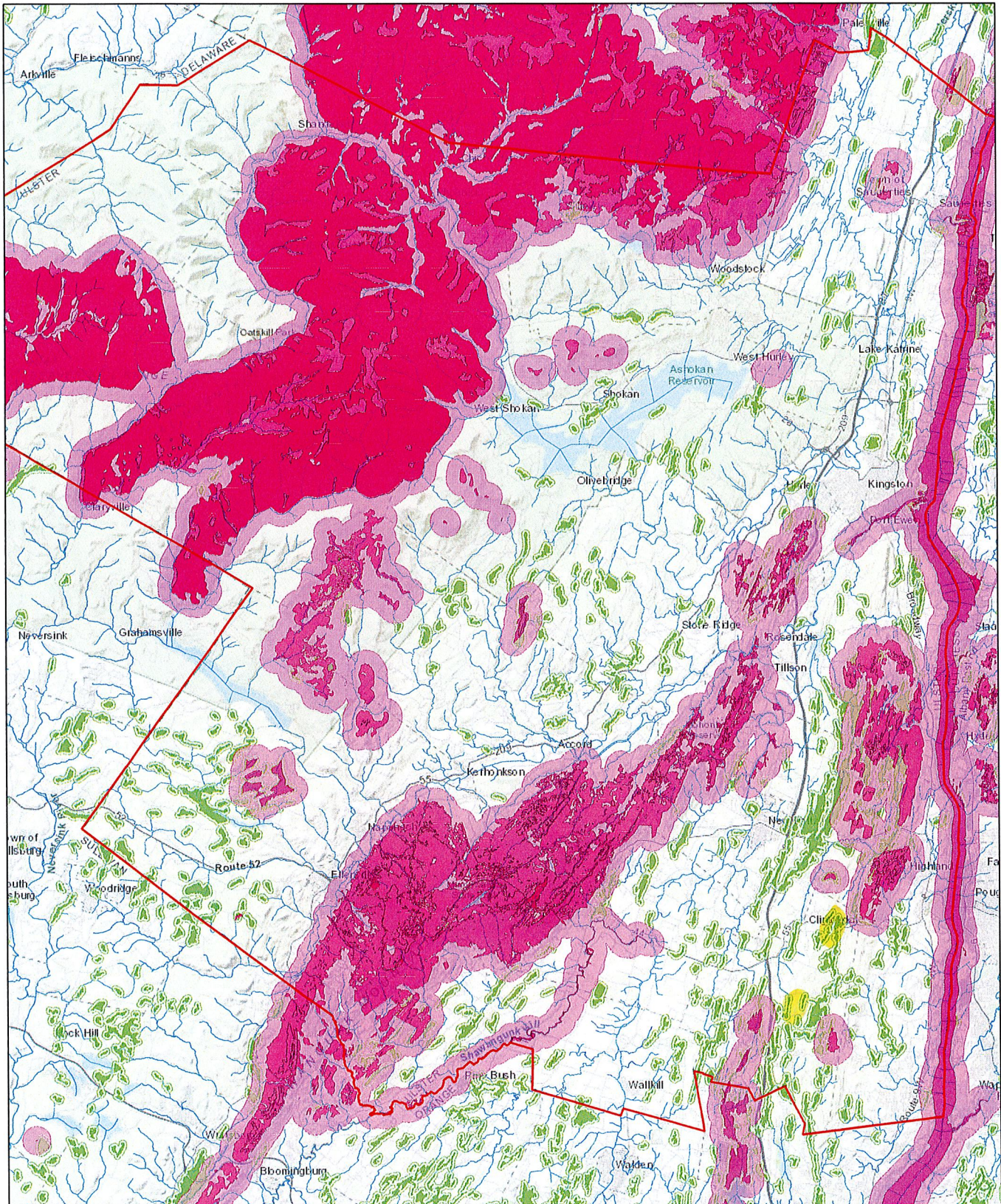
Sincerely,



Karol Knapp
President, Aspen Environmental

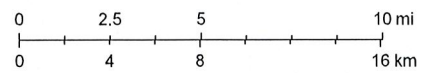
Unrelated to the natural environment, I would just like to add a comment regarding the impact of traffic upon the immediate area. In particular, NYS Route 44/55 in the vicinity of the potential Hertel site already has significant sight distance issues at several feeder roads both to the east and west. Within a mile west of the site are Hull Avenue and Bedell Avenue along with Faro Lane, Cliff Avenue and Morse Heights. Also within this area is the Clintondale Post Office and Clintondale Firehouse. I don't know if you are familiar with this portion of 44/55 but one truly puts their lives in the hands of God when entering 44/55 from these roads and locations. To the east, also within a mile of the Hertel site are Jenkins Lane, Tuckers Corners and Pancake Hollow followed a short distance later by Baileys Gap. The configuration of all these roads at 44/55 makes for numerous accidents, many more near misses, and definitely another factor which requires the utmost consideration when considering adding significant daily truck traffic to the area. Should the landfill be sited at the Hertel site, I can all but guarantee there will be little time until someone is killed due to collision with a garbage truck while trying to enter 44/55 from one of these locations.

ULSTER CO AQUATIC RESOURCES & SIGNIFICANT NAT'L COMMUNITIES



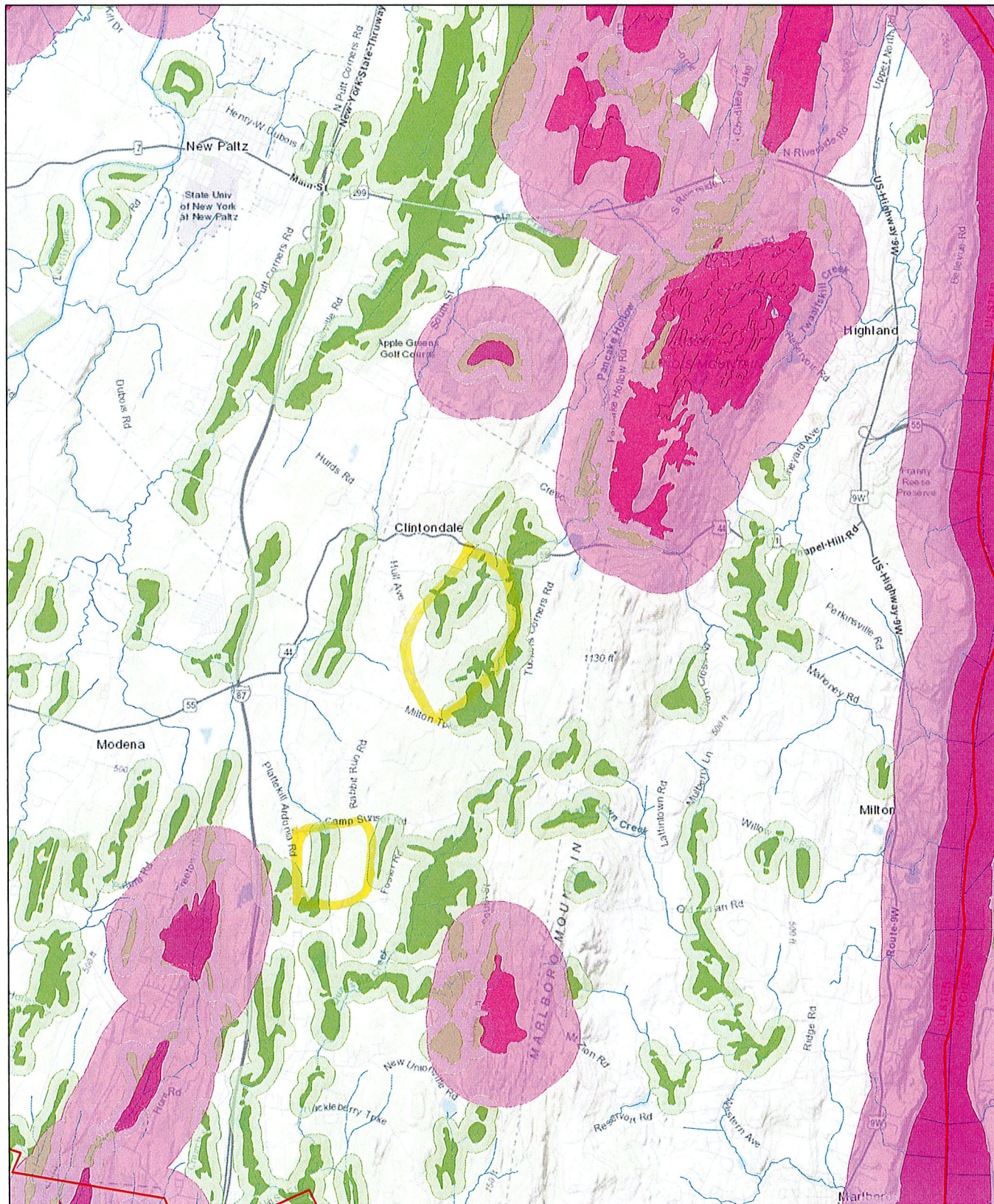
April 6, 2023

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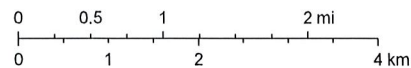
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYSDEC WETLANDS, STREAMS & SIGNIFICANT NATURAL COMMUNITIES



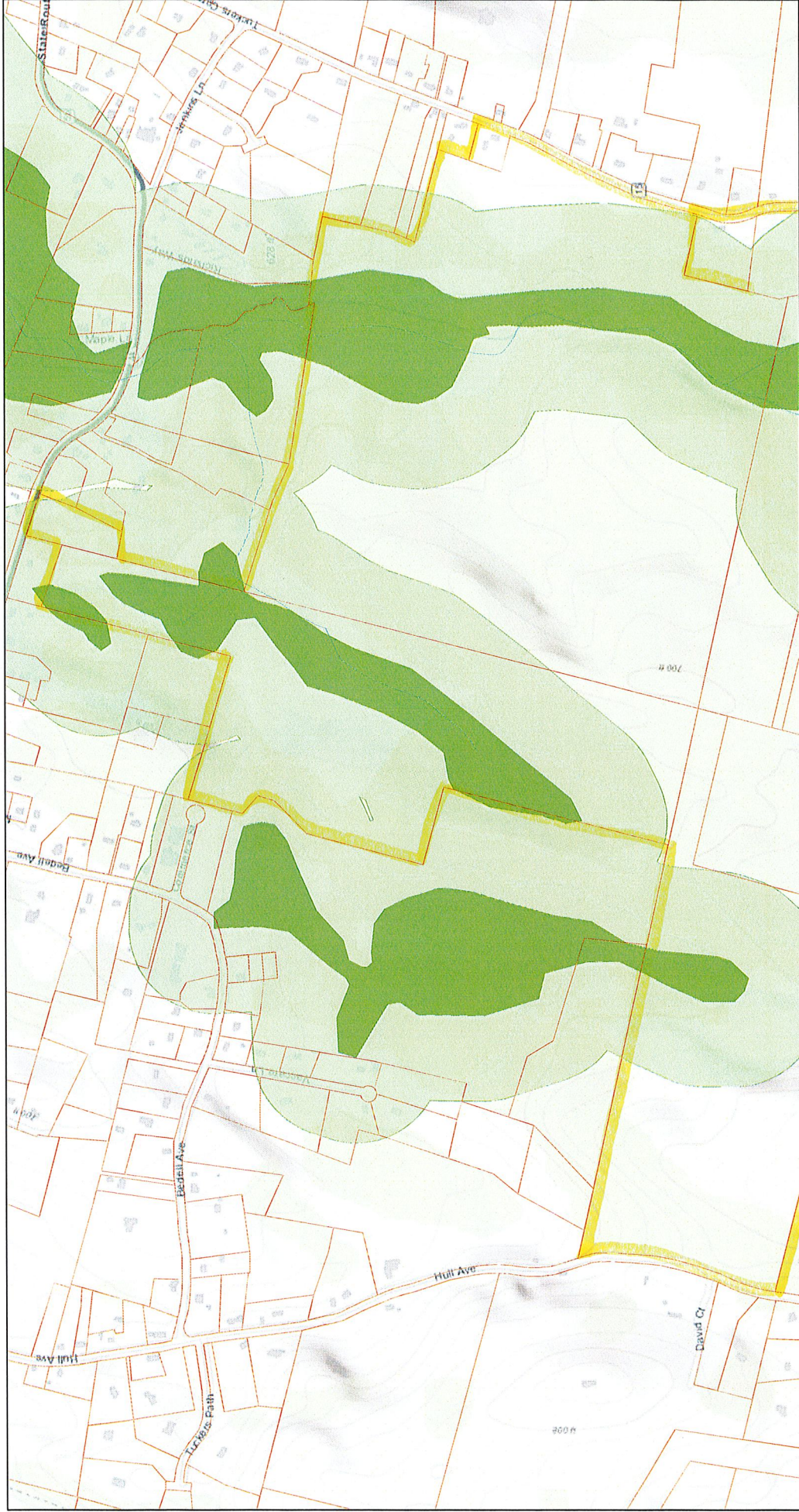
April 6, 2023

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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYSDEC WETLANDS & STREAMS - N



April 6, 2023

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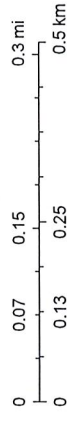
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYSDEC WETLANDS & STREAMS - S



April 6, 2023

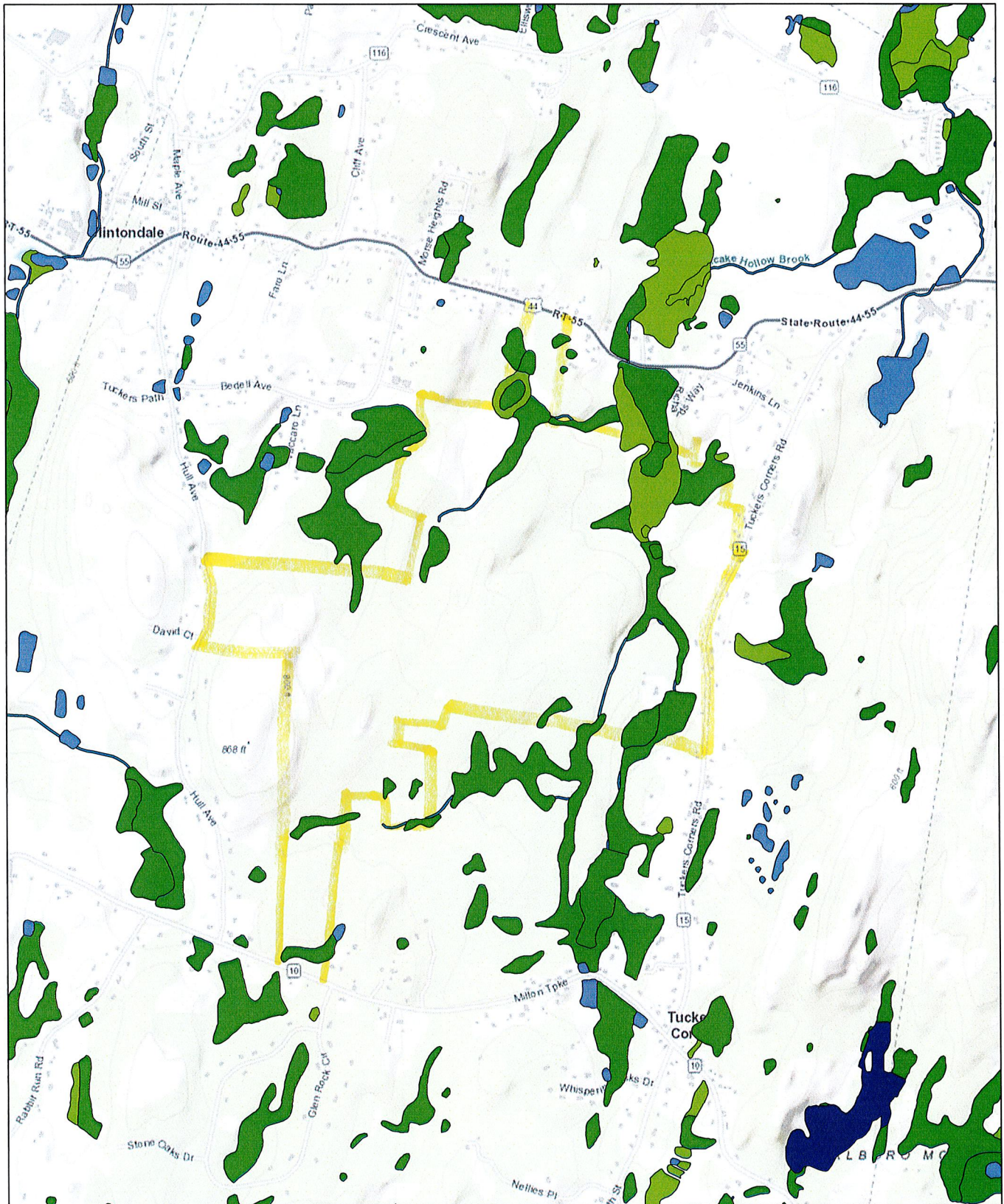
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Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCo, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (9) OpenStreetMap contributors, and the GIS User Community

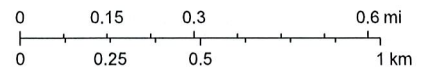
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NWI AQUATIC RESOURCES



April 6, 2023

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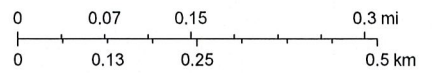
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SUNSET NYSDEC AQUATIC RESOURCES



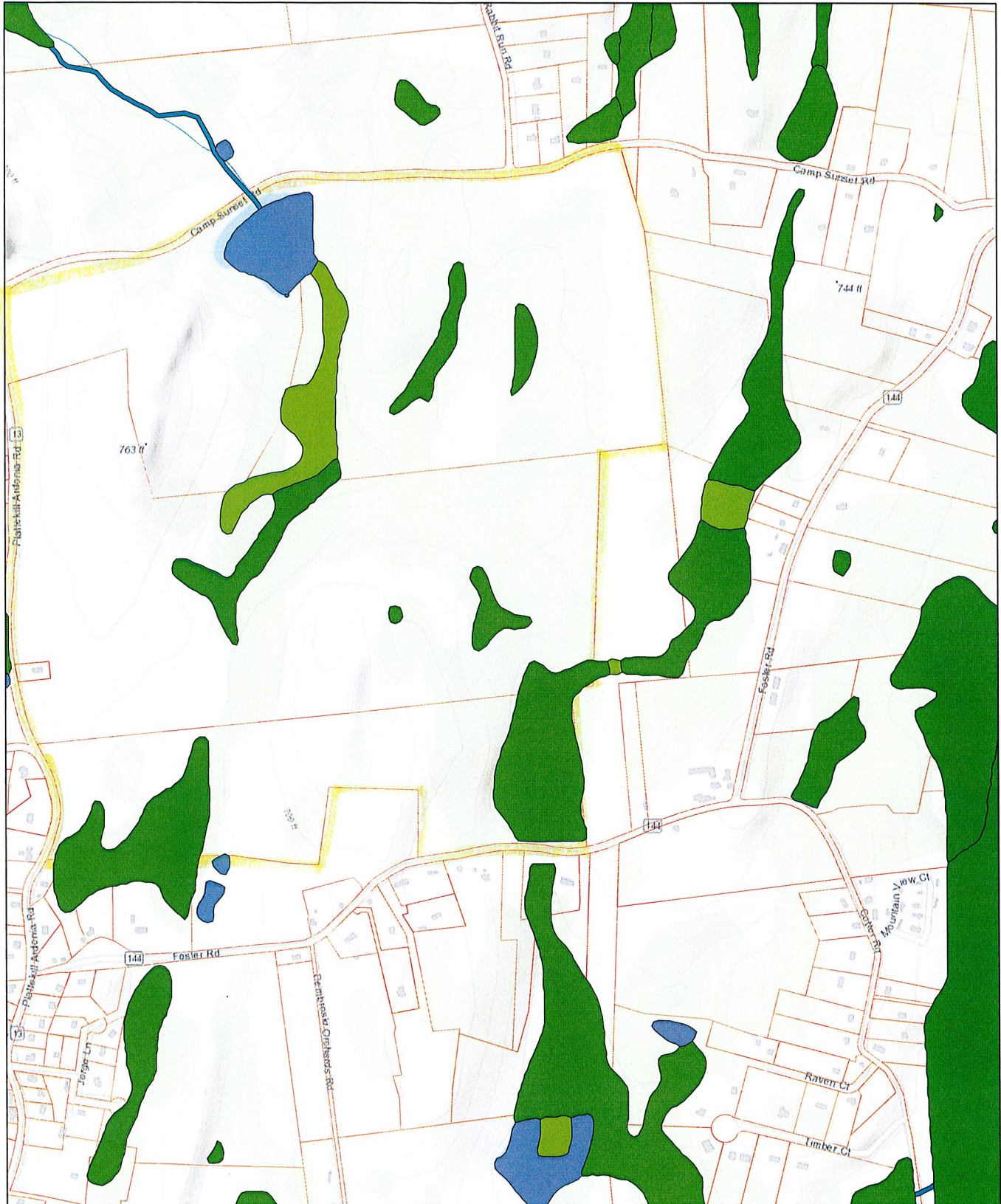
April 6, 2023

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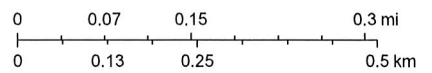
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SUNSET NWI AQUATIC RESOURCES



April 6, 2023

1:9,028



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

NYS Department of Environmental Conservation
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#6A



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

P: 845.562.9100

F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION IN OPPOSITION TO SITING OF
THE ULSTER COUNTY RESOURCE RECOVERY
AGENCY LANDFILL IN THE TOWN OF PLATTEKILL
OUR FILE NO. 800.1(B)() (2022)

DATE: MARCH 22, 2023

ATTORNEYS

David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL

Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon
Irene V. Villacci

In accordance with Supervisor Piaquadio's request, enclosed for the Town Board's consideration is the following draft resolution pertaining to proposed potential siting of the Ulster County Resource Recovery Agency landfill in the Town of Plattekill:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWBURGH
IN OPPOSITION TO SITING OF THE ULSTER COUNTY RESOURCE
RECOVERY AGENCY LANDFILL IN THE TOWN OF PLATTEKILL

Should you have any questions in this regard, please feel free to contact me.

MCT:kac
Enclosure

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
James Presutti, Commissioner of Parks, Recreation & Conservation
(via e-mail)
James Osborne, Town Engineer (via e-mail)
Pat Hines, Principal, McGoey, Hauser & Edsall (via e-mail)

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, Newburgh, New York on the ___th day of March, 2023 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWBURGH IN OPPOSITION TO SITING OF THE ULSTER COUNTY RESOURCE RECOVERY AGENCY LANDFILL IN THE TOWN OF PLATTEKILL

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, the Ulster County Resource Recovery Agency (“UCCRA”) seeks a site in Ulster County for the disposal of municipal waste; and

WHEREAS, UCCRA commissioned a study of potential landfill sites which was performed by HydroQuest ; and

WHEREAS, the study identified two potential target landfill sites on undeveloped lands, both in the Town of Plattekill, identified in the HydroQuest study as sites H and I; and

WHEREAS, the southern portion of site I drains and contains tributaries to Quassaick Creek, a New York State Department of Environmental Conservation designated Class A stream and the primary tributary to the Town of Newburgh Chadwick Lake Reservoir, which supplies drinking water to the Town of Newburgh and the Town of Marlborough and on an emergency basis to the Town of New Windsor; and

WHEREAS, Chadwick Lake Reservoir is a critical water supply for the municipalities it serves, vital not only to the public health and safety, but also the economic health of the area, providing water to residential and commercial customers, and also to important public and infrastructure facilities, such as Stewart Airport and the Air National Guard Base, the Leptondale Elementary School of the Wallkill Central School District, the East Coldenham School of the Valley Central School District and the Meadow Hill Magnet School, Fostertown Elementary School, Gardnertown Elementary School and Balmville Elementary School of the Newburgh Enlarged City School District, the Plattekill and Modena service areas of the NYS Thruway, and the Roseton and Danskammer power plants;

and

WHEREAS, the rules and regulations duly made and enacted as Section 133.20 of Title 10 of the New York State Codes, Rules and Regulations, in accordance with the provisions of sections 1100-1107 of the Public Health Law, apply not only to Chadwick Lake Reservoir, but its tributaries and watershed, and prohibit any refuse disposal area from being located within 250 feet of a watercourse, which is defined as including every spring, stream, marsh or channel of any kind, the waters of which flow or may flow into the public water supply and require all persons living on or visiting the watershed, meaning the entire drainage area contributing water to the public water supply, to refrain from any act which may result in the contamination of any portion of the water supply; and

WHEREAS, the Town of Newburgh contains a portion of the City of Newburgh's Washington Lake Reservoir and in addition, has extended its municipal water supply to serve residents whose wells were contaminated by the same PFAS chemicals which caused the City to discontinue use of its reservoir, so it is keenly aware of the risks of contamination to public and private water supplies; and

WHEREAS, the unnecessary risks of contamination and disturbance to a primary source of the drinking water on which three communities are dependent posed by a potential landfill site are untenable; and

WHEREAS, Chadwick Lake and Quassaick Creek also provide invaluable park and recreation opportunities to residents of the area, including boating, fishing and hiking at Chadwick Lake Park and north to Mill Street, as well as to the south in Orange County Algonquin Park's pond area and nature trails and nearby powder mill site, listed on the National Register of Historic Places, and the City of Newburgh proposes a Quassaick Creek Estuary Preserve and historic mill trail project as a living, community park, all of which could be adversely affected by an upstream landfill; and

WHEREAS, the Town of Plattekill which contains both proposed locations for the UCRRRA landfill identified in the HydroQuest study is opposed to both the proposed site H and site I locations due to the potential adverse effects on the community; and

WHEREAS, based on the mapping available through the New York State Department of Environmental Conservation website, it is likely that the Town of Plattekill is

one of the areas of Ulster County containing a sizable "Potential Environmental Justice Area Community," a factor which should weigh heavily against siting of a landfill within its boundaries; and

WHEREAS, the Town of Plattekill borders on the Town of Newburgh and adverse effects on Plattekill could extend to our neighboring community.

NOW THEREFORE BE IT RESOLVED, that the Town of Newburgh opposes the proposed siting of the UCRRA landfill in the Town of Plattekill both due to the risks to the Chadwick Lake Reservoir watershed and in support of its neighboring community; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Town Clerk to the Hon Patrick Ryan, U.S. Representative for the 19th Congressional District of the State of New York, the Hon. Robert Rolison, State Senator for the 39th District, the Hon. Jonathan G. Jacobson, Assemblyman for the 104th District, the New York State Department of Health, the New York State Department of Environmental Conservation, the Hon. Stephen Neuhaus, Orange County Executive, the Hon. Jen Metzger, Ulster County Executive, the Hon. Kevindaryán Luján, Orange County Legislator for the 4th District, the Hon. Genesis Ramos, Orange County Legislator for the 6th District, the Hon. Leigh Benton, Orange County Legislator for the 16th District, the Hon. Mike Anagnostakis, Orange County Legislator for the 17th District, the Ulster County Legislature, Executive Director Greg Ollivier and the Board of Directors of the UCRRA and the Supervisors and Town Boards of the Town of Plattekill and Town of Marlborough.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Elizabeth J. Greene, Councilman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

I, Lisa M. Vance Ayers, the duly elected and qualified Town Clerk of the Town of Newburgh, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Town Board held on March __, 2023 and is on file and of record and that said resolution has not been altered, amended or revoked and is in full force and effect.

Lisa M. Vance Ayers, Town Clerk
Town of Newburgh

Quassaick Creek Watershed Alliance
48 Wintergreen Avenue
Newburgh, NY 12550
gebhards@outlook.com

March 20, 2023

Resolution: No Landfill in Plattekill, Ulster County, Quassaick Creek Watershed

Whereas; The Quassaick Creek Watershed Alliance is dedicated to protecting the quantity and quality of waters in the Quassaick Creek Watershed, and

Whereas; the Quassaick Creek (QC) Watershed being in both Ulster County (Town of Plattekill) and Orange County (Town of Newburgh), New York, and

Whereas; the Quassaick Creek is the primary water source of the Chadwick Lake Reservoir in the Town of Newburgh, and

Whereas; the Chadwick Lake Reservoir is in-part the drinking water supply for the Town of Newburgh, and

Whereas; the Ulster County Resource Recovery Agency has proposed a landfill site in the Town of Plattekill, known as Site I, and

Whereas; Site I, the proposed landfill, covers a portion of the Quassaick Creek Watershed upstream of Chadwick Lake,

Therefore; Be it requested that the County of Ulster, NY withdraw the proposal of said landfill Site I for the protection of the health and safety of the residents of the Town of Newburgh, NY. Furthermore, the removal of the Site I landfill proposal will remove the threat of contamination to the overall Quassaick Creek Watershed habitat.

John Gebhards
Executive Director



Town of Plattekill
Resolution # 31 of 2023

Adopting a Resolution to oppose a County wide landfill in the Town of Plattekill.

_____ made a motion to adopt the following Resolution #31 of 2023.

Whereas, the Ulster County Resource Recovery Agency(RRA) has circulated a RFP to retain an engineering firm to study the siting of a County-wide landfill;

Whereas, according to press reports and comments from RRA Board members, two locations in Plattekill have been identified as prime locations;

Whereas, the Supervisor and the Town Board has not been consulted or briefed by the County Government or RRA on this matter;

Whereas, the creation of a County-wide Landfill inside the borders of the Town of Plattekill will harm economic development in the Town of Plattekill, have a negative impact on quality of life of Town residents and conflict the Town's duly adopted Comprehensive Plan;

Whereas, the Town of Plattekill is already burdened with the 80 acre - Hertel Landfill superfund site;

Whereas, the Town Board of the Town of Plattekill has previously established as a policy of the Town that a County-wide Landfill shall not be located in the Town of Plattekill;

Therefore be it Resolved that, the Town of Plattekill Town Board will oppose any attempts to site a County-wide Landfill or any Landfill in the Town of Plattekill.

Councilman	seconded.		
On The Vote:	YES	NO	Abstained
Supervisor Salemo			
Councilman Depew			
Councilman Kras			
Councilman Matthews			
Councilman Castillo			

*Town of Plattekill, NY
Thursday, February 16, 2023*

Chapter 110. Zoning

Article III. Supplementary Regulations

§ 110-53. Aquifer Protection Zone.

- A. Purpose of zone. The purpose of this section is to protect the public health, safety and welfare of people utilizing the groundwater source within the area of potential impact from the Hertel Landfill Superfund Site in the Town of Plattekill, New York. This plan is to ensure, as feasible as possible, a water supply of safe drinking water standards. The purpose of this section is to delineate areas of potential water-quality impacts from the landfill, to maintain a safe drinking water supply and provide adequate monitoring, if required, to ensure the safety of the water supply sources in the areas of concern.
- B. Environmental impact assessment area.
- (1) The provisions of this § **110-53** shall apply to all real property lying within the environmental impact assessment area (EIAA) as designated on a map (Figure 19) found in the report titled "Technical Evaluation, Hertel Landfill Superfund Site, Town of Plattekill, New York" prepared by Leggette, Brashears & Graham, Inc. (LBG) and dated May 29, 2003. This map shall be considered an official supplement to and part and parcel of the Town of Plattekill Official Zoning Map. The affected area shall be known as the "EIAA District."
 - (2) The EIAA District boundary lines shall be determined by the use of the scale appearing on Plate 1. From time to time and to reflect new information of a site-specific nature, the Town Board may make amendments to the boundaries of EIAA Districts delineated on Plate 1.
 - (3) The provision, requirements and regulations of this section shall apply to all uses of land within EIAA Districts, and no groundwater supply source(s) are to be used except in compliance with the provision, requirements and regulations of this § **110-53**.
- C. General provisions and requirements. Based on existing water-quality data, the EIAA District has been delineated to include

areas of potential water-quality impact from the landfill. The EIAA District has been subdivided into three areas, EIAA I, II and III. EIAA I includes areas of potential moderate to high risk downgradient from the landfill that have previously reported water-quality impact from the landfill. EIAA II includes areas of potential low to moderate risk further downgradient from the landfill. EIAA III includes areas of potential low risk crossgradient and immediately upgradient from the landfill.

D. Description of environmental impact assessment area (EIAA). The following describes the individual EIAA Districts depicted on Plate 1:

- (1) The EIAA I encompasses the area immediately north, northwest and northeast of the landfill property. The EIAA I extends approximately 900 feet from the northern edge of the property boundary (or approximately 750 feet north of Route 44); extends west approximately 450 feet to 550 feet and runs parallel with the western property boundary to approximately 1,100 feet south of the northwestern corner of the property (or approximately 1,250 feet south of Route 44); and extends east approximately 650 feet to 850 feet and runs parallel with the eastern property boundary to approximately 2,100 feet south of the northeastern corner of the property (or approximately 2,200 feet south of Route 44).
- (2) The EIAA II encompasses the area west and east of EIAA I and the landfill property. The EIAA II extends approximately 4,100 feet from north to south (beginning approximately 700 feet north of Route 44 and ending approximately 800 feet north of the southern edge of the landfill property); extends west from EIAA I approximately 1,300 feet to 600 feet and runs parallel with the western property boundary; and extends east from EIAA I approximately 400 feet to 1,650 feet and runs parallel with the eastern edge of the EIAA I boundary to approximately 850 feet south of the southeastern edge of the EIAA I boundary (or approximately 2,950 feet south of Route 44).
- (3) The EIAA III encompasses the area south, west and east of EIAA II and the landfill property. The EIAA III extends approximately 1,400 feet south of the southern edge of the property boundary; extends west approximately 1,100 feet and south approximately 2,000 feet to 2,500 feet from the southwestern boundary of the EIAA II; and extends east approximately 1,800 feet and south approximately 1,800 to 2,200 feet from the southeastern boundary of the EIAA II.

E. Water supply development criteria.

- (1) Proposed subdivisions or any proposed individual water-supply source within the EIAA must meet New York State Department of Health 10 NYCRR Part 74, § 7.4.5.C, regulations. Water-quality analyses must be conducted of each proposed individual well supply and be sampled for all parameters listed on Table 1. The wells may be required to be pumped for 24 hours prior to sampling. Areas of high

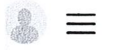
risk may warrant the pumping test duration to be expanded; or additional pumping tests may be required to confirm previous pumping test and water-quality data.

- (2) Any proposed subdivision that indicates potential risks of water-quality impacts may be required to drill additional or even all the test wells on the proposed subdivision lots, including the required water-quality analysis. Any proposed subdivision which indicates water-quality impacts from the landfill may be required to develop an acceptable public water source at an acceptable location in the study region. This would not likely be economically feasible for smaller subdivisions. In addition, the applicant may be required to sample a representative number of wells in the subdivision semiannually to yearly for a prescribed number of years following buildout of the project. In addition, the applicant may be required to reduce zoning density or develop a clustered development in an area of the subdivision which minimizes the potential water quality impacts from the landfill site.
 - (3) Proposed public water supply sources within the EIAA which indicate potential risks of water-quality impacts may be required to conduct up to one-hundred-twenty-hour pumping tests, including off-site well monitoring. In addition, the applicant/owner of the public water-supply source may be required to sample the wells for the parameter listed on Table 1 for a prescribed number of years following buildout of the project.
 - (4) Site-specific drilling, testing and water-quality studies should be carried out at the parcels located within the EIAA and conducted by a qualified hydrogeologist or engineer representing the applicant.
- F. Additional requirements. In addition to compliance with the requirements, as applicable, an applicant for a use subject in an EIAA shall prepare or have prepared a hydrogeologic analysis of the property which shall be submitted to and reviewed by the Town Board and hydrogeologist or engineer of the Town's choice, at the applicant's expense.
- (1) Study requirements. The purpose of the hydrogeologic analysis shall be to demonstrate existing water-quality conditions on the study parcel and whether the proposed use of on-site water supply sources will degrade or become contaminated from the Hertel Landfill. Such analysis shall be prepared by a qualified hydrogeologist at the expense of the applicant. The work scope for hydrogeologic assessment must be submitted to the Town Board for review by the Town's hydrogeologist or engineer for approval prior to conducting any such work scope. Such analysis shall include:
 - (a) Identification of the nature and importance of the groundwater supply and recharge aspects of the individual property upon which the use is proposed.

- (b) Indication of the direction of groundwater flow.
 - (c) Assessment of existing water quality on the property, and adjacent properties (if available).
 - (d) A determination of how development will affect the regional water table (groundwater flow).
 - (e) An analysis of groundwater treatment options, if required.
 - (f) Data regarding the site-specific fracture pattern of underlying bedrock.
 - (g) Additional hydrogeologic data as warranted.
- (2) Planning Board review. The Planning Board may, at the expense of the applicant, arrange for a review of the hydrogeologic analysis by a qualified engineer or hydrogeologist of the Town's choosing. Such review shall be considered by the Planning Board in rendering the decision on the application. To the greatest extent practicable, the application for the proposed development and the review of the hydrogeologic analysis required under this section shall be coordinated with all other review and permit procedures required by the Town of Plattekill, including the State Environmental Quality Review (SEQRA) process.
- (3) Planning Board action.
- (a) After a review of the hydrogeologic analysis, and compliance with all other applicable procedures for the proposed use, the Planning Board shall approve, deny or approve subject to conditions the application for a permit to develop the study parcel.
 - (b) The Planning Board may attach such conditions to the issuance of a permit as it deems reasonable and necessary to ensure the protection of existing and proposed water supply source(s). Any conditions that are placed on the approval of a use permit shall require the owner of the property to perform such action. Such conditions may include, but are not limited to:
 - [1] The periodic monitoring and reporting of the condition of groundwater within the boundaries of the subject property.
 - [2] The correction of any groundwater contamination or degradation of the developed water supply source(s) on the subject property.
- (4) Denial of application. A denial of an application shall not preclude an applicant from reapplying for a permit, provided that the applicant has made significant changes which are designed to eliminate potential or existing contamination of the groundwater on the study parcel.



At 1,000 signatures, this petition is more likely to be featured in recommendations!



Take steps to strengthen your petition now

Dashboard Petition details Edit Comments



We oppose a County Wide Landfill in Plattekill

879 have signed. Let's get to 1,000!



At 1,000 signatures, this petition is more likely to be featured in recommendations!



Kevin Roberts signed this petition



Robert Ruger signed 1 hour ago



Nicole Batts signed 1 hour ago



Kevin Roberts started this petition

Share this petition

I (we) oppose a County-wide landfill in the Town of Plattekill

	Name	Town	Date
1	Donna M. Hedrick	Plattekill	4/3/23
2	Sarah Wilson	Plattekill	4/3/23
3	Scott Mandoski	Newburgh	4/3/23
4	Janice Singh	Orange	4/3/23
5	Tiffany Balligan	Newburgh	4/3/23
6	Barbara Dawes	Plattekill	4/3/23
7	Dawn Hausca	Plattekill	4/3/23
8	Dawn Kain	Plattekill	4/3/23
9	JOSEPH G. CROCE	PLATEKILL	4/3/23
10	Pearl S. Morse	Plattekill	4/3/23
11	Robert L. Morse	Plattekill	4/3/23
12	Donald Sharon	Plattekill	04/03/23
13	Lillian Rivera	Plattekill	4/3/23
14	Donald A.H. Sharon	Plattekill	4/3/23
15	LeRoy R. Morse	Plattekill	4/3/23

I (we) oppose a County-wide landfill in the Town of Plattekill

	Name	Town	Date
1	John L. Keitz	Plattekill	4/4/23
2	Christien Lauro	Plattekill	4/4/23
3	William Ferro	Plattekill	4/4/23
4	Robert J. Smalchal	Plattekill	4/4/23
5	Elizabeth L. Massoni	Plattekill	4/4/23
6	Frank Musella	Plattekill	4/4/23
7	Barbara A. Tapeniny	Plattekill	4/4/23
8	Susan Buonocore	Plattekill	4/4/23
9	Uolul	Plattekill	4/4/23
10	Lynn M. Lamanna	Plattekill	4/4/23
11	John C. Bruhn	Plattekill	4/4/23
12	Diane De Marco	Plattekill	4/4/23
13	Chris Jonitz	Plattekill	4/4/23
14	Kenny Gurd	Plattekill (Lyons)	4/4/23
15	Patrice Bazy	Plattekill	4/4/23

I (we) oppose a County-wide landfill in the Town of Plattekill

	Name	Town	Date
1	Robert J. ...	Plattekill	4/4/23
2	A. W. ...	Plattekill	4/4/23
3	Floyd ...	Plattekill	4/4/23
4	Jim ...	Plattekill	4/4/23
5	Rebecca ...	Plattekill	4/4/23
6	Lauren ...	Plattekill (Lyons)	4/4/23
7	Paul ...	Plattekill (Lyons)	4/4/23
8	Ed ...	Plattekill	4/4/23
9	... Kattis	Plattekill	4/4/23
10	Charles D. ...	Plattekill Cantonville	4/4/23
11	Michele ...	Milton Plattekill	4/4/23
12	John ...	Milton Plattekill	4/4/23
13	Maryann ...	Plattekill	4/4/23
14	Marie ...	Plattekill	4/4/23
15	Dee A. ...	Plattekill	4/4/23

I (we) oppose a County-wide landfill in the Town of Plattekill

04-04-23

	Name	Town	Date
1	Jami Anson	Plattekill (Clintondale)	
2	Kelly ANSON	Plattekill	4/4/23
3	Butch ANSON	Plattekill	4/4/23
4	John J Berlan	Plattekill	4/4/23
5	Adrienne Rooks	Plattekill	4/4/23
6	John R	PLATTEKILL	4-4-23
7	John P. Finora	Plattekill	4/4/23
8	Kate Thomas	Plattekill	4/4/23
9	John	Plattekill	4/4/23
10	NIOLE KLEIN	Plattekill	4/4/23
11	Diane Rosen	Plattekill	4/4/23
12	Sean Molloy	Plattekill Clintondale	4/4/23
13	Ray Jones	Clintondale Plattekill	4/4/23
14	Frank Boyd	Plattekill	4/4/23
15	Alycia Sparone	Plattekill	4/4/23

New York State Residential Insulation - A Proof of Concept

1. Project Narrative

Project Name

New York State Residential Insulation - A Proof of Concept (Spray Foam and Hemp-Lime)

Project Summary

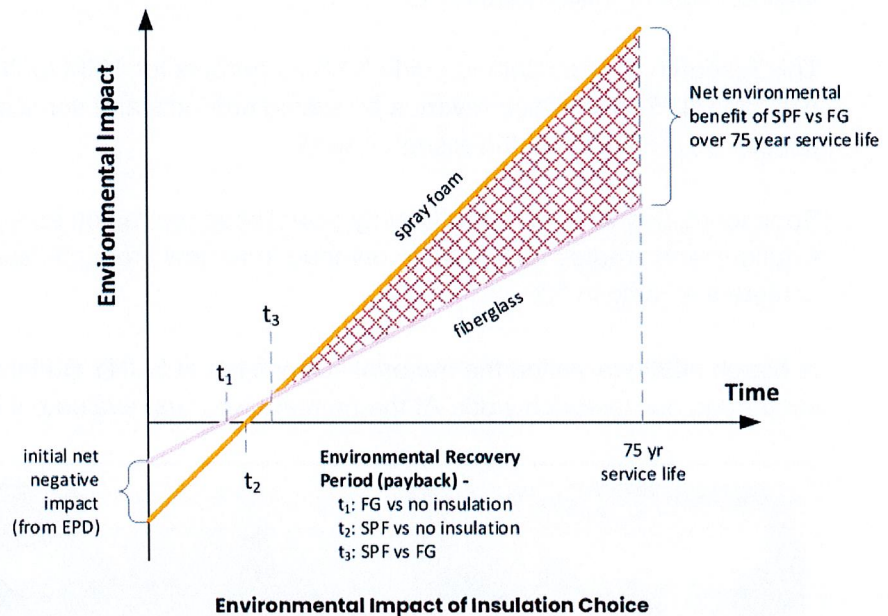
NYS must retrofit over 200,000 homes in 2023 to maintain pace towards the energy saving goals.

New York State - Energy Scorecard							
Energy Savings Scorecard for NYS, by Build Green Now							
Retrofits in NYS by 2030:				1,500,000 Homes*			
Time Remaining:				7 Years			
Rank	County	Population	% of NYS	Retrofits due: 2030	Retrofits due: 2023	% Complete	Next Step
Total:		20,114,745	100	1,500,000	214,286	?	Survey

Air sealing and insulation are the most important components of energy saving solutions.

Spray Foam is the most popular and cost effective solution that contractors are aware of. Spray foam insulation is developed from 2 types of composite material, polyurethane, and isocyanate.

Spray Foam petroleum chemicals have a larger environmental impact during manufacturing than fiberglass but they result in less net environmental impact when measured over a service life of 75 years.



Hemp-lime has a negative carbon footprint and absorbs CO₂ through a calcification process over its lifetime. This NYS Insulation - A Proof of Concept project proposes a 2 year research and development study to document best practices for creating regenerative insulation solutions that reduce the amount of embodied carbon as compared to only using spray foam as insulation.

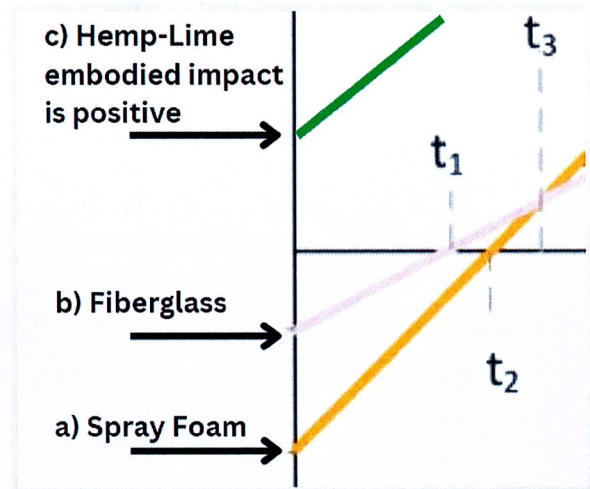
New York State Residential Insulation - A Proof of Concept

The graphic above illustrates the embodied environmental impact and the lifetime environmental benefits of using spray foam vs fiberglass. Spray foam has a greater initial negative environmental impact. As part of the research the team will focus on ways to reduce this by using bio materials where possible.

Hemp-lime can reduce the overall embodied environmental impact. Research establishes agreement regarding insulation best practices for NYS. In this graphic we illustrate the positive embodied environmental impact of hemp-lime:

- a) Embodied environmental impact of **Spray Foam**
- b) Embodied environmental impact **Fiberglass**
- c) Embodied environmental impact of **Hemp-Lime**

NYS can engineer an embodied environmental impact starting point that is positive.



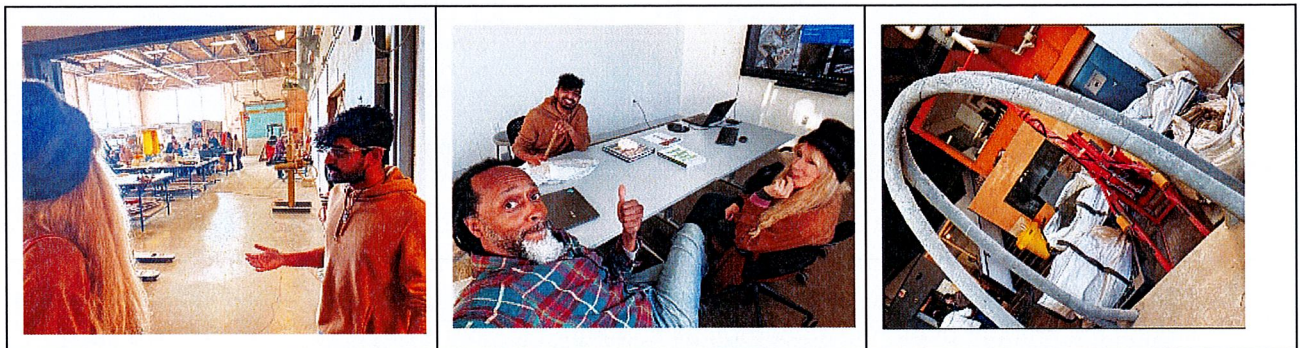
The Opportunity:

New York State has an opportunity to lead the nation towards energy saving solutions that are healthy and remediate soil and are the least costly (with accelerated investments into research and development and cost reduction).

This research creates data to guide NYS as retrofits for 1MM to 2MM homes accelerates and positions NYS to increase revenue by selling products and services to other states and attracting people to NYS to join in the research work.

Sponsoring this work in Ulster County establishes the region as a national leader in regenerative solutions and creates new taxable revenue from new products, services, tourism and industry conferences held in NY.

In March 2023 we visited the material science lab at SUNY Buffalo and confirmed interest in supporting our research work. At the moment we must evaluate if it is best to do this work in Buffalo.

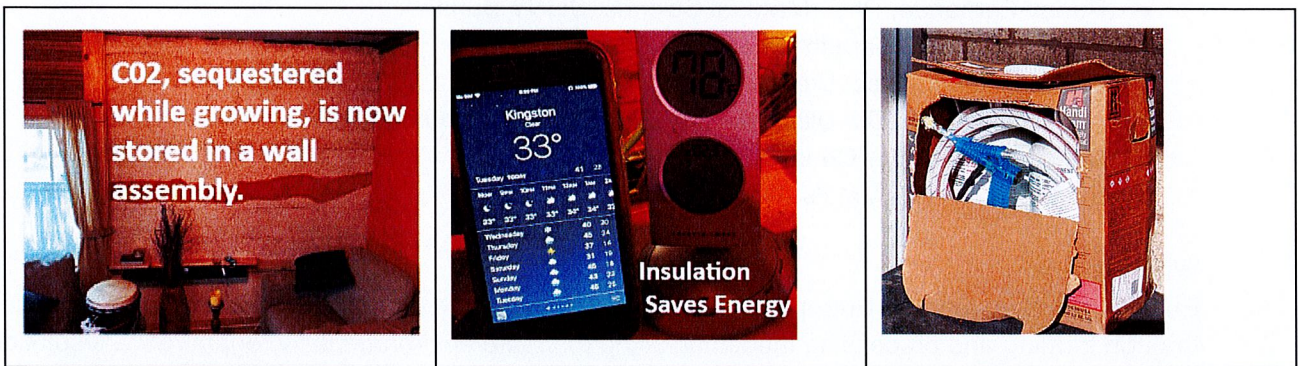


New York State Residential Insulation - A Proof of Concept

Where Hemp-lime and Spray Foam meet

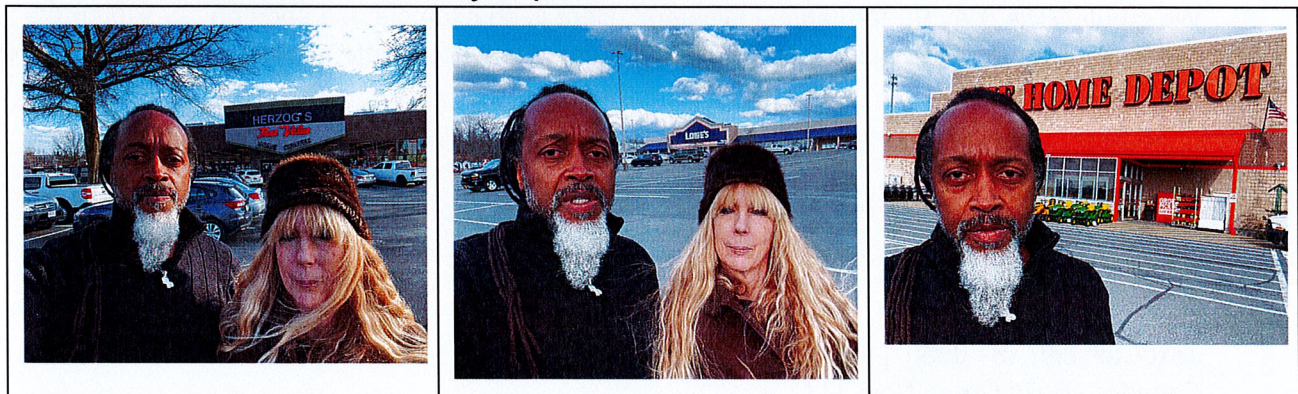
As the former President of the US Hemp Building Association, builder of New York State's first hemp-lime retrofit (in Kingston, NY) and the person who made the closing arguments to the International Code Council leading to "Recommendation" for adding Hemp-lime to Residential Building Code we are asking for a sponsor for this research project.

To support this work, the Economic Development Committee has started work to create space at iPark for our Eco Entrepreneurship center (see separate proposal). We recommend opening centers across NYS to build a supply chain to grow, harvest and process Industrial Hemp. In addition we need data to provide informed recommendations to clarify if we recommend people go to big box stores to buy their own spray foam kits and do the work themselves. This can create new hazards.



This project can initiate collaboration conversation with our local supply chains to determine their participation with this state-wide initiative. For big box stores we want to start a conversation about recycling construction waste, including the spray foam systems they are selling today.

What is the construction waste recycle plan:



New York State Residential Insulation - A Proof of Concept

2. Contact Information

Project Manager

Henry Gage, Jr. is founder, Build Green Now and builder of Hemp House #1 - Kingston, New York, former president of the US Hemp Building Association and Secretary for Seed Song Farm Center.

Names of collaborators

- Build Green Now / Eco Entrepreneurship Center
- Sally Warren, PhD (Board Certified Naturopath)
- Jennifer Edwards (Exec Dir Unfettered Arts Gallery)
- Jennifer Gilbert Jenkins, PhD (Agriculture/Science, SUNY Morrisville)
- Randy Fernando, PhD (Material Science, SUNY Buffalo)
- Sarah Woman Elisabeth (Exec. Dir and Farm Mgr.)
- Creek Iversen (Exec. Dir. Seed Song Farm Center)
- Tim Weidemann (Dir. Ulster County Economic Development)
- Chris Hewitt (Ulster County Legislator District 21)
- Pastor Taylor (St. Mark's AME Church)

Who We Are

Build Green Now, An Eco Entrepreneurial enterprise centered on community health and wellbeing through farming and processing Industrial Hemp to create environmentally regenerative insulation for homes.

What We Do

We research Industrial Hemp, providing: industry updates, market insights, NYS Ag/Mkts. plans, NYS Hemp Grain/Fiber Roundtable input and community project management services.

We create KPIs (Key Performance Indicators). Here is an example of a page on our site created to communicate the scope of work NYS faces. Ulster Co must complete about 2,000 retrofits in 2023.

Regards,

Henry Gage, Jr.

Text/Cell: 845 481 0550 | henrygagejr@gmail.com

Founder - Build Green Now, LLC

Builder - New York's First Hempcrete Retrofit

Member, New York Department of Ag. Hemp/Fiber Roundtable

Secretary - Seed Song Farm Center in Kingston, NY

Senior Project Manager and Business Analyst

<https://www.buildgreennow.net/energy-savings-score-cards.html>

DRINKABLE, SWIMMABLE, FISHABLE: CLEARWATER CELEBRATES 50+ YEARS OF THE CLEAN WATER ACT



9:00 AM to 1:00PM
14 April 2023



Kaplan Hall, SUNY Orange
Newburgh, NY 12550



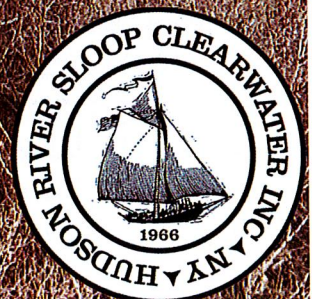
Register: <https://tinyurl.com/yppj6jt3>

Join the Hudson River Sloop Clearwater for a symposium on the Clean Water Act to reflect upon the progress made in the 50-years since its passage, explore its limitations, and discuss opportunities and emerging threats to continued progress toward a swimmable and fishable Hudson River.

The symposium will bring together experts from across the region to explore the history of the Clean Water Act, progress towards its goals over the last five decades, as well as new emerging threats to the Hudson River. The program will include life-long activist and Hudson River advocate John Cronin and a series of topically focused panel discussions with Q&A.

This event is free and open to the public, though due to space constraints, prior registration is preferred.

For more information visit www.clearwater.org
or e-mail ea2@clearwater.org





Drinkable, Swimmable, Fishable: Clearwater Celebrates 50+ Years of the Clean Water Act

REGISTRATION LINK: <https://tinyurl.com/yppj6it3>

- 8:30 am-9am Check-In and Networking
- 9:00 am-9:15 am Welcome Remarks, Manna Jo Greene, Hudson River Sloop Clearwater
- 9:15 am -9:35 am A 21st Century Clean Water Act, John Cronin
- 9:35 am-10:30 am Swimmable Panel: Moderator: Fran Dunwell, Retired Founder & Former Coordinator of the Hudson River Estuary Program, New York State Department of Environmental Conservation
- Hudson River Access - Jeff Anzevino, Scenic Hudson
 - Water Quality Monitoring & A Swimmable Hudson River: Dan Shapley, Riverkeeper
 - Harmful Algae Blooms (HABS) - Emily Vail, Hudson River Watershed Alliance
- 10:30 am - 11:25 am Fishable Panel: Moderator: David Toman, Hudson River Sloop Clearwater
- Polychlorinated biphenyls (PCBs) Remediation & 5-Year Review Update - Althea Mullarkey, Scenic Hudson
 - PCB Fish Consumption Health Advisory - Gena Gallinger, New York State Department of Health
 - Fish Populations - Steve Stanne, Hudson River Sloop Clearwater Board of Directors and Retired NYSDEC
- 11:25 am -11:35 am 10 Minute Break
- 11:35 am-12:30 pm Drinkable Panel: Moderator: Aaron Mair, Clearwater Board of Directors
- Emerging Contaminants - Rob Hayes, Environmental Advocates of New York
 - Hudson 7: Protecting the Hudson River as a Drinking Water Source - Gary Bassett, Mayor of Rhinebeck
 - City of Newburgh Perfluorooctane sulfonic acid (PFOS) Drinking Water Contamination Case Study - Jennifer Rawlison, Newburgh Clean Water Project
- 12:30 pm - 12:45 pm Resilience Speaker - Libby Zematis, Hudson River Estuary Program
- 12:45 pm - 1 pm Closing Remarks - Manna Jo Greene, Hudson River Sloop Clearwater

Other Events of Interest

Wed., Apr. 19, 8am- 5:30pm. 2023 Hudson River Symposium Landscape: Tradeoffs as New York Transitions to Renewable Energy. At Cary Institute of Ecosystem Studies, 181 Sharon Turnpike, Millbrook, NY 12545. REGISTER: <https://www.eventbrite.com/e/2023-hudson-river-symposium-landscape-and-renewable-energy-tickets-537676784737>

Wed., May 3, 5-7:30pm. 8th Annual Walkkill River Summit. At College Terrace at SUNY New Paltz. REGISTER: <https://tinyurl.com/walkkillriver>

Sat., May 6, 2 p.m. Rally AND Flotilla to Save the River by Opposing Holtec Discharge of Radioactive Water into the Hudson. At Cortlandt Waterfront Park, 77 Riverview Ave., Verplanck