

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

DATE & TIME: May 4, 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 and Legislators Aaron Levine (arrived 3:12 PM), Joseph Maloney (arrived 3:17 PM), Eric Stewart, and Tracey Bartels (arrived 3:04 PM, left 3:56 PM)
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Phil Erner; Melissa Everett – Sustainable Hudson Valley; Nicholas Hvozda – Department of the Environment; Executive Director Greg Ollivier, Board Members Andrew Ghiorse, Jim Gordon – Ulster County Resource Recovery Agency (UCRRA); David Gordon, Esq. – Legislative Counsel; Amanda LaValle – Deputy County Executive; Dean DePew Sr., MaryAnn DePew – Deputy Supervisor of Plattekill;

Chair Greene called the meeting to order at 3:03 PM and led the Pledge of Allegiance.

Chair Greene recognized Melissa Everett to present the Mid-Hudson Regional Sustainability Coalition’s Climate Action Roadmap and Timeline to the Committee.

Motion No. 1: **MOTION to APPROVE the Minutes of the April 6, 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**

Resolutions for the May 16, 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, June 13, 2023 At 7:05 PM

Resolution Summary: Sets a public hearing on June 13, 2023 at 7:05 PM on Proposed Local Law No. 12 of 2022.

Motion No. 2: MOTION TO DISCUSS Resolution No. 5

Motion By: Legislator Hansut
Motion Seconded By: Legislator Stewart

Discussion: Chair Green recognized Counsel Gordon to discuss current legal precedents on environmental rights, human rights to nature, and restoration efforts. Legislator Maloney expressed his concerns about the legislative intent of the Resolution and how it may be affected by judicial discretion. Chair Greene recognized Legislator Phil Erner, sponsor of the resolution, to express his consent to postponement.

Motion No. 3: MOTION TO POSTPONE Resolution No. 5

Motion By: Legislator Maloney
Motion Seconded By: Legislator Bartels

Discussion: None. Hearing none, the Committee postponed the Resolution.

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

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

Resolution Summary: Memorializing Resolution to State Legislature to approve and implement an opt-out CDS program in New York.

Motion No. 4: MOTION TO DISCUSS Resolution No. 5

Discussion: Chair Greene requested that no action be taken. Hearing no further discussion, the Committee took no action.

Disposition: NO ACTION TAKEN

Resolution No. 88 – Amending The 2023 Budget To Provide Hudson River Watershed Alliance With Funding For Administrative And Program Support Services To Assist Various Agencies In Ulster County - Department Of Finance, Division Of Recovery And Resilience The Environment

Resolution Summary: Amends the 2023 Ulster County Budget to provide funding to the Hudson River Watershed Alliance in the amount of \$35,000.00 for administrative and programming support.

Motion No. 5: MOTION TO DISCUSS Resolution No. 88

Motion By: Legislator Hansut

Motion Seconded By: Legislator Levine

Discussion: Legislator Stewart provided background on the development of the Resolution, and expressed his intent to postpone it. Chair Green recognized Deputy Executive LaValle to discuss collaborative efforts to address county needs and opportunities. Hearing no further discussion, Chair Greene called the question.

Motion No. 6: **MOTION TO POSTPONE Resolution No. 88**

Motion By: Legislator Hansut
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**

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 on Sites H and I in the Town of Plattekill.

Motion No. 7: **MOTION TO DISCUSS Resolution No. 200**

Motion Made By: Legislator Hansut
Motion Seconded By: Legislator Maloney

Discussion: Legislators Bartels, Stewart and Greene expressed their opposition to the Resolution, stating precedence concerns and the premature nature of taking action. Legislators Maloney and Hansut expressed support for the Resolution and addressing resident concerns. Legislator Hansut expressed the desire to vote on the Resolution. Chair Greene recognized Deputy Supervisor of Plattekill Dean DePew Sr. to discuss environmental concerns around the possibility of a landfill in Plattekill and expressed his strong support for the Resolution. Lengthy discussion ensued. Legislator Levine discussed changing the title of the Resolution for specificity.

Motion No. 8: **MOTION TO AMEND Title of Resolution No. 200 to “Opposing A County Wide Landfill On Two Specific Parcels Of Land In The Town of Plattekill”**

Motion By: Legislator Levine
Motion Seconded By: Legislator Maloney

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

Disposition: RESOLUTION AMENDED

Motion No. 9: MOTION TO APPROVE Resolution No. 200, AS AMENDED AS PRESENTED

Motion By: Legislator Hansut
Motion Seconded By: Legislator Maloney

Voting In Favor: Legislators Hansut, Levine & Maloney
Voting Against: Legislators Greene & Stewart
Votes in Favor: 5
Votes Against: 0

Disposition: RESOLUTION ADOPTED AS AMENDED AS PRESENTED

Resolution No. 278 — Authorizing The Department Of The Environment To Submit An Application To The U.S. Department Of Transportation Federal Highway Administration Charging And Fueling Infrastructure Discretionary Grant Program – Department Of The Environment

Resolution Summary: Authorizes the Department of the Environment to submit a grant application to the U.S. Department of Transportation Federal Highway Administration Charging and Fueling Infrastructure Discretionary Grant Program, for which awardees must provide at least 20% of the total project cost as a matching share.

Motion No. 10: MOTION TO DISCUSS Resolution No. 278

Motion Made 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
Voting Against: None
Votes in Favor: 5
Votes Against: 0

Disposition: RESOLUTION ADOPTED

Resolution No. 279 — Setting A Public Hearing On Proposed Local Law No. 6 Of 2023, A Local Law Amending The Code Of The County Of Ulster, Chapter 131, Vehicles, County, Article I, Sustainable Green Fleet Policy, In Relation To Strategies And Goals, To Be Held On Tuesday, June 13, 2023 At 7:00 PM

Resolution Summary: Sets a public hearing on June 13, 2023 at 7:00 PM on Proposed Local Law No. 6 of 2022.

Motion No. 11: MOTION TO DISCUSS Resolution No. 279

Motion Made By: Legislator Hansut
Motion Seconded By: Legislator Levine

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

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

Disposition: **RESOLUTION ADOPTED**

Resolution No. 280 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Penny Coleman to the Environmental Management Council (EMC) through December 31, 2025.

Resolution No. 281 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Laura Hartmann to the Environmental Management Council (EMC) through December 31, 2025.

Resolution No. 282 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Jannelle Koszarek to the Environmental Management Council (EMC) through December 31, 2025.

Resolution No. 283 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Erin Moran to the Environmental Management Council (EMC) through December 31, 2025.

Resolution No. 284 — Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirms the appointment of Omari Washington to the Environmental Management Council (EMC) through December 31, 2025.

Motion No. 12: **MOTION TO BLOCK Resolution Nos. 280, 281, 282, 283 & 284**

Motion Made By: Legislator Hansut
Motion Seconded By: Legislator Levine

Discussion: Legislator Maloney discussed including the names of appointees in appointment Resolutions. Chair Greene requested that appointees attend Committee meetings so the Committee may meet them before voting on their appointment. Hearing no further discussion, Chair Greene called the question.

Voting In Favor: Legislators Greene, Hansut, Levine, Maloney & Stewart

Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **RESOLUTIONS BLOCKED**

Motion No. 13: **MOTION TO APPROVE Resolution Nos. 280, 281, 282, 283 & 284**

Motion Made By: Legislator Hansut
Motion Seconded By: Legislator Levine

Discussion: None. Hearing none, Chair Greene called for a vote on the blocked Resolution.

Voting In Favor: Legislators Greene, Hansut, Levine, Maloney & Stewart
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **RESOLUTIONS ADOPTED**

Resolution No. 307 — Authorizing The Chair Of The Ulster County Legislature To Execute An Intermunicipal Agreement With The Power Authority Of New York (NYPA) - Electric Bus Charging Infrastructure Project Phase 2.2 - Department Of Public Transportation (Ulster County Area Transit)

Resolution Summary: Authorizes the Chair of the Legislature to execute an intermunicipal agreement with NYPA for Capital Project No. 568.

Motion No. 14: **Moved Resolution No. 307 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, Hansut, Levine, Maloney & Stewart
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **RESOLUTION ADOPTED**

Chair Greene recognized Deputy Executive LaValle to provide environment updates to the Committee on the Hertel Landfill and the feasibility of a solar project.

Chair Greene recognized Director of the Department of the Environment Nick Hvozda to provide department updates to the Committee on setting deliverables for municipal solid waste diversion, the process of the Reuse Innovation Center planning study, and collaborating with Bard students on climate action recommendations.

Chair Greene recognized Ulster County Resource Recovery Agency (UCRRA) Board member Jim Gordon to briefly discuss the creation of a County department to replace the UCRRA.

Chair Greene recognized UCRRA Director Greg Ollivier to provide updates to the Committee on waste diversion statistics and the landfill siting process. Legislator Maloney inquired about the origin of solid waste hauled to the UCRRA facility, and Director Ollivier provided further details about the hauling process. Chair Greene requested the completion of a Zero Waste Implementation Plan, and Director Ollivier offered to discuss further details in an individual meeting.

Legislator Stewart discussed the consideration of a Climate Smart Schools Coordinator position and collaboration between schools and the UCRRA. Chair Greene discussed the importance of planning waste reduction efforts for the Ulster County Fair. Legislator Hansut updated the Committee with community environmental outreach that has been effective in her district.

Legislator Levine inquired if there were updates on the Ashokan releases or Hudson 7, and Deputy Executive LaValle provided the Committee with updates on the Lower Esopus Stream Management Plan.

Chair Greene recognized Andrew Ghiorse to discuss the consideration of increasing the number of UCRRA Board members.

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

Adjournment

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

TIME: 4:47 PM

Respectfully submitted: Chelsea Villalba, Legislative Employee
Approved: June 1, 2023

Should the county absorb the Resource Recovery Agency?

Point of view: Jim Gordon

by [Jim Gordon](#)

[March 19, 2023](#)

HV-One [Op-ed](#)

Ulster County needs to become a leader in materials management and leave behind our outdated paradigm of trash disposal.

There are many facets to this challenge but to start the modernization process, Ulster County's government must absorb the Resource Recovery Agency (RRA) and turn it into a county department. I am a board member of the RRA, but I am expressing a personal opinion.

A county takeover is not a knock at the agency's staff or operations. The RRA executive director and staff should continue in place. But instead of intermittent "oversight" by a five-member board of rotating unpaid citizen volunteers, RRA operations would be guided by county executive Jen Metzger, and thus, be more directly answerable to the public. Moreover, a new materials management department could coordinate with the county's existing planning, environment and public works departments to create ways to collect and process useful reusable materials, and do necessary waste disposal.

Our current solid waste "solution" needs drastic upgrading. In 2023, the agency will spend about \$17.5 million, with revenues of about \$20 million. UCRRA operations will handle approximately 150,000 tons of materials, mostly trucked by huge diesel-burning tractor-trailers some 240 miles west and north to the Seneca Meadows landfill. The heavy trucks then run empty 240 miles back. Meanwhile the stuff they dumped, which includes a lot of useful material, decays and creates methane gas, a catastrophic destroyer of our atmosphere. About \$10 million dollars a year of RRA spending goes directly to fuel or dumping costs. It is a costly and crazy system to continue in our emerging climate crisis.

So, what now? Uncertainty. The town board of Seneca Meadows voted to close the facility by 2025, but the Texas-based owner seeks a state permit renewal till 2040. So we may simply continue shipping waste far away for several more years. But as climate change worsens and restrictions and costs of diesel rise, a complex and costly future is coming into focus. Ending our trucking-trash addiction needs millions of dollars for local facilities to create materials management programs, for organics, reusable and recyclable products.

The idea is maximum diversion. But looming very large is whether (and especially where) to site a new localized landfill(s), and how to simultaneously institute waste reduction and reuse programs requiring diverse locales, equipment and workers. Planning, siting and constructing such facilities are key development decisions. Ulster County's enormous expanse, with 20 towns, villages and the City of Kingston and rugged diverse topography dictate that an array of approaches will be required across disciplines and departments. The RRA does not have that

expertise, but county government could supply it using in-house personnel, creating efficiency and cost savings and real time supervision of the work.

But the most important reason the county should take over the RRA is because key solid-waste management solutions are too important to be decided by the five-member board of an independent agency answerable to no one. Officials are elected to make key decisions, not duck them. It is a simple principle of democracy.

And key decisions are coming down the pike. April 4 is the deadline for response to the RRA's Request for Ideas, essentially, a document requesting preliminary plans for dealing with our 150,000 tons of stuff. The RRA request expressly agrees to consider privatization of our waste stream, and for importing solid waste.

A preliminary proposal is already in, for a roughly \$60-million facility that turns solid waste into natural gas. The Tennessee-based company proposing the idea says it will finance the facility, its own and operate it and control all the byproducts. They view sales of natural gas as a financial winner. Other options include the RRA, or some other entity, building a county landfill, partnering on a regional landfill, or "recycling" former town landfills, refurbishing those toxic time bombs and using the resultant space as a modern, lined local landfill.

One would expect the county executive to have a key role in such decisions. Yet, Jen Metzger officially has no role to play. Likewise, county legislators who appoint the RRA board also have only limited authority over bonding, and have no role in RRA policy decisions.

The RRA is an anachronism from an earlier form of government, formed in 1987 as a public benefit corporation. At that time, the state was closing environmentally toxic town landfills, and town officials said the county legislature had to devise countywide solutions, widely expected to be a landfill or an incinerator. Today, the RRA is still a separate independent agency, set up to allow county legislators to avoid making tough decisions on solid waste. When county voters created a county executive position in 2006, no provision was made to bring the RRA under executive oversight.

So there is still that fundamental disconnect, and it bodes ill for successfully modernizing our materials management. For example, county legislators have drafted plans for progressive solid-waste management programs such as the proposed Resource Innovation Center, and a separate Zero Waste initiative. They may be laudable ideas, but both are happening absent any involvement by the RRA, creating new independent programs for what common sense dictates should be a coordinated and unified effort.

Encouragingly, executive Metzger seems to understand that while there is no constituency for garbage, there is huge value in proper materials management. Her Executive Order #1, among other initiatives, sets a goal of diverting 100 percent of organic waste from landfills and incinerators by 2030. That would reduce "trash" management by about 30 percent, roughly 50,000 tons annually. To achieve this, a multi-faceted and geographically distributed organics collection program is needed, not only to turn organics into compost, but to then distribute the

rich soils back to farmers, nurseries and home gardeners. The idea needs county-level resources, oversight and management to become a reality.

This unified approach will also foster recovery of wood, bricks, electronics, and metals across the spectrum of materials. Some stuff will ultimately need disposal in a landfill, or some other treatment method, but as the climate crisis disrupts supply chains, local food and materials management will be crucial. Our top elected county officials are needed to coordinate county resources, for dealing with trash disposal in materials management. Since the RRA's contract with the county expires in 2025, this is an ideal time for a smooth transition to a better system.