

**Energy & Environment Committee
Meeting Minutes**

DATE & TIME: March 2, 2020; 6:15 PM
LOCATION: KL Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairwoman Manna Jo Greene
LEGISLATIVE STAFF: Fawn A. Tantillo
PRESENT: Legislators Al Bruno, Peter Criswell and Mary Wawro
ABSENT: Legislator Laura Petit
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Tracey Bartels and John Gavaris; David Gordon, Legislative Minority Counsel; Deputy County Executive Evelyn Wright; Tim Rose, Executive Director of the Ulster County Resource Recovery Agency (UCRRA); Adam Doan, Director of Ulster County Soil & Water; David Haldeman, Ulster County Environmental Management Council (UCEMC)

Chairwoman Greene called the meeting to order at approximately 6:15 pm and lead the Pledge of Allegiance.

Motion No. 1: **To Approve the Minutes of February 3, 2020**
Motion Made By: Legislator Bruno
Motion Seconded By: Legislator Wawro

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell & Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: **Minutes Approved**

Ulster County Resource Recovery Agency

Mr. Rose reported the UCRRA 10-year Local Solid Waste Management Plan(LSWMP) has been submitted to the New York State Department of Environmental Conservation (NYSDEC). NYSDEC has 120 days to respond and comment but Mr. Rose doesn't expect many changes because the UCRRA has been in contact with the NYSDEC as the draft LSWMP was developed.

After the UCRRA receives the NYSDEC approval letter or the changes NYSDEC requests are minor, the LSWMP will come to the Legislature for final approval. If NYSDEC requests major changes it will go to the UCRRA Board then back to NYSDEC.

Mr. Rose reminded the committee that the UCRRA purchased 75 acres adjacent to their current operation on Flatbush Ave. At the March UCRRA Board meeting, he expects a consultant to present site plan options that include expanding the composting operation, a residential drop-off

area and a new administration building that would allow them to create an educational center in the current administration building. The presentation will include the cost of these various options so the UCRRA Board can determine what options they will pursue.

Resolutions for the March 17, 2020 Session of the Legislature

Resolution No. 89 - Confirming Reappointment Of Alternate Member To The Fish And Wildlife Board

Resolution Summary: This resolution would confirm the County Executive’s re-appointment of Thomas Raffaldi of West Hurley to serve as an alternate member on the NYS Fish and Wildlife Board

Motion No. 2: Motion to Approve Resolution No. 89

Motion By: Legislator Criswell

Motion Seconded By: Legislator Bruno

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell and Wawro

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: Resolution Adopted

Resolution No. 90 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution would confirm the County Executive’s re-appointment of Margo Becker of Accord to the Board of the Ulster County Environmental Management Council

Resolution No. 91 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution would confirm the County Executive’s re-appointment of William More of Kingston to the Board of the Ulster County Environmental Management Council

Resolution No. 92 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution would confirm the County Executive’s re-appointment of Virginia Starke of Hurley to the Board of the Ulster County Environmental Management Council

Motion No. 3: **Motion to consider Resolutions 90, 91 and 92 as a block**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Bruno

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: **Motion Approved**

Motion No. 4: **Motion to Approve Resolutions 90, 91 and 92**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Wawro

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: **Resolutions Adopted**

Resolution No. 94 - Opposing A New Power Plant Facility At The Former Danskammer Energy Site In Newburgh (Orange County) New York

Resolution Summary: This is a memorializing resolution opposing a fossil fuel powered facility in Newburgh, NY

Motion No. 5: **Motion to discuss Resolution No. 94**
Motion By: Legislator Bruno
Motion Seconded By: Legislator Criswell

Discussion: Legislator Bartels, sponsor of the resolution, explained the critical need for the Ulster County Legislature to weigh in on this project noting that the impacts go beyond Orange County. She discussed potential amendments to the resolution including add language about a just transition for workers, Ulster County Legislatures Climate Emergency declaration.

Legislator Bruno felt that this memorializing resolution needed to tone down the political rhetoric and focus on the facts.

The committee discussed these possible changes as well as Legislator Petit's request to expand the resolution to include the gas fired plant at Cricket Valley; concerns for any new facility to be built in a location proven to be vulnerable to flooding from tropical storms; the New York State Climate Leadership and Community Protection Act, (CLCPA) which would limit the plants operational life of this plant to about 20 years; and scenic impacts of the old plant and any new plant on the Hudson River view sheds.

Mr. Gordon felt the resolution in its current form was weak. He suggested sending the approved resolution to the siting board. He suggested the county could file for Article 10 intervenor funds.

Chairwoman Greene clarified that in this case, intervenor funding had already been awarded. She also said that the siting board initially did not list the CLCPA issue as a deficiency in the project but now they are addressing CLCPA.

Legislator Wawro suggested the resolution should note that several Ulster County municipalities like the Town of Saugerties have gone on record opposing the Danskammer plant.

Legislator Bartels expressed her willingness to change the language Legislators Bruno and Wawro mentioned in order to make the resolution more inclusive and invited other legislators who wanted to collaborate to contact her. She asked for a one month postponement.

Motion No. 6:	Motion to postpone Resolution No. 94
Motion By:	Legislator Bruno
Motion Seconded By:	Legislator Criswell
Discussion:	None
Voting in Favor:	Legislators Greene, Bruno, Criswell, and Wawro
Voting Against:	None
No. of Votes in Favor:	4
No. of Votes Against:	0
Disposition:	Resolution Postponed

Resolution No. 95 - Supporting New York State Senate Bill S6906 And New York State Assembly Bill A9678, Imposing A Permanent Fracking Ban In New York State

Resolution Summary: This is a memorializing resolution to state that the Ulster County Legislature fully supports the passage and adoption of S6906/A9678 which would codify into law a permanent ban on horizontal drilling, high volume hydraulic fracturing, and gelled propane hydraulic fracturing in the State of New York

Motion No. 7:	Motion to approve Resolution No. 95
Motion By:	Legislator Criswell
Motion Seconded By:	Legislator Bruno

Discussion: The committee noted the final resolved to forward copies of the resolution to various officials including the Orange County Legislature and felt this was not necessary.

Motion No. 8: **Motion to amend Resolution No. 94** to remove the words “the Orange County Legislature” in the final RESOLVED

Motion By: Legislator Wawro
Motion Seconded By: Legislator Bruno

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell, and Wawro

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: **Resolution Approved as Amended**

Resolution No. 126 - Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Blue Stone Solar Energy, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487

Resolution Summary: This resolution authorizes the Chair to enter into a PILOT agreement with Blue Stone Solar Energy

Motion No. 9: **Motion to approve Resolution No. 126**

Motion By: Legislator Wawro

Motion Seconded By: Legislator Criswell

Discussion: Chairwoman Greene explained this is more of a “reverse” PILOT because Solar projects like this are tax exempt. The New York State Energy & Research Development Agency (NYSERDA) recommend these tax exempt solar project volunteer to pay taxes because they use community services.

Voting in Favor: Legislators Greene, Bruno, Criswell, and Wawro

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: **Resolution Approved**

Resolution No. 131 - Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The Ulster County Soil And Water Conservation District For The 2020 Appropriation - Legislature

Resolution Summary: This resolution authorizes the Chairman to execute an agreement for up to \$91,500 with Ulster County Soil and Water Conservation District.

Motion No. 10: **Motion to discuss Resolution No. 131**
Motion By: Legislator Bruno
Motion Seconded By: Legislator Wawro

Discussion: Mr. Doan told the committee the UCSW signed a new 5-year agreement with New York City Department of Environmental Protection (NYCDEP). This is the third such agreement. The work involves stream restoration and water quality improvement that benefits many of the local communities in the NYCDEP Watershed.

They are also involved in a regional Carbon farming project with other counties. 6 farms in Ulster County are participating. The pilot projects with help sequester carbon and they are using robust soil testing by Cornell Cooperative Extension to measure results. The project has an educational component.

Mr. Gordon raised questions regarding the contract and the work set forth in Schedule A. He felt it was a very thin statement of services and lacked any specifics. He suggested the Legislature might want more detail of where the money is going and perhaps get a list of specific streams and projects the money would be used for.

Legislator Bartels explained that this Legislative funding is not usually dedicated to specific projects but it is used to leverage all the work Soil and Water performs. She suggested the committee have a conversation about all the projects Soil and Water undertakes and what potential services they can provide.

Chairwoman Greene asked if postponing the resolution for a month and asking Mr. Doan to come back with a more detailed report would be a problem. Mr. Doan indicate it would not be.

Motion No. 11: **Motion to postpone Resolution No. 131**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Bruno

Discussion: None

Voting in Favor: Legislators Greene, Bruno, Criswell, and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: **Resolution Postponed**

Chairwoman Greene asked if there was any other business, hearing none;

Motion to Adjourn

Motion Made By: Legislator Criswell
Motion Seconded By: Legislator Wawro
No. of Votes in Favor: 4
No. of Votes Against: 0
Time: 8:10 pm

Respectfully submitted by: Fawn Tantillo
Minutes Approved: April 13, 2020