

**Energy & Environment Committee
Meeting Minutes**

DATE & TIME: August 3, 2020; 6:15 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656,
Meeting ID: 931 5449 4330
PRESIDING OFFICER: Chairwoman Manna Jo Greene
LEGISLATIVE STAFF: Jay Mahler, Fawn A. Tantillo. Laurie Lichtenstein
PRESENT: Legislators Al Bruno (arrived 7:55), Peter Criswell, Laura
Petit and Mary Wawro
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: David Gordon, Legislative Minority Counsel; Amanda LaValle, UC Department of the Environment; Katherine Beinkafner and Charles Landi, Board Members, Angelina Peone, Recycling Coordinator and Tim DeGraff, Controller of the Ulster County Resource Recovery Agency (UCRRA); David Haldeman, Ulster County Environmental Management Committee (EMC);

Chairwoman Greene called the meeting to order at approximately 6:26 pm and lead the Pledge of Allegiance.

Motion No. 1: **To Approve the Minutes of July 6, 2020**
Motion Made By: Legislator Petit
Motion Seconded By: Legislator Criswell

Discussion: None

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

Resolutions for the August 18, 2020 Session of the Legislature

Resolution No. 242 -Approving Ulster County’s Local Solid Waste Management Plan

Resolution Summary: This resolution will approve a 10-year Local Solid Waste Management Plan

Motion No. 2: **Motion to discuss Resolution No. 242**
Motion By: Legislator Petit
Motion Seconded By: Legislator Wawro

Discussion: See attached transcript.

Motion No. 3: **Motion to Postpone Resolution No. 242**
Motion By: Legislator Petit
Motion Seconded By: Legislator Criswell
Voting to Postpone: Legislators Greene, Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0

Disposition: **Resolution Postponed with the consent of the sponsor.**

Resolution No. 243 -Urging New York State Legislature To Increase Recycling And Reduce Municipal Waste Management Costs By Expanding the NYS Returnable Container Act.

Resolution Summary: This is a memorializing resolution urges NYS Representatives to expand the Bottle Bill to include liquor, wine and other glass drink containers.

Motion No. 4: **Motion to discuss and approve Resolution No. 243**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Petit

Discussion: See attached transcript.

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

Resolution No. 265 – Establishing A Zero Waste Implementation Plan for Ulster County

Resolution Summary: This resolution would approve a Zero Waste Implementation Plan to approach zero waste by removing items commonly found in Municipal Solid Waste using a variety of techniques

Motion No. 5: **Motion to discuss Resolution No. 242**
Motion By: Legislator Wawro
Motion Seconded By: Legislator Criswell

Discussion: See attached transcript.

Motion No.6: **Motion to Postpone Resolution No. 242**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Wawro
Voting to Postpone: Legislators Greene, Bruno Criswell, Petit and Wawro
Voting Against: None

No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Resolution Postponed with the consent of the sponsor.

New Business:

Old Business

- New York State Constitution Green Amendment
 - Climate Smart Committee update
-

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

Motion to Adjourn

Motion Made By: Legislator Criswell

Motion Seconded By: Legislator Bruno

No. of Votes in Favor: 5

No. of Votes Against: 0

Time: 8:19 pm

Respectfully submitted by: Fawn Tantillo & Laurie Lichtenstein

Minutes Approved:

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Legislator Greene 00:01

I'd like to call the August 3, 2020 of the Energy and Environment Committee to order. And Fawn, do you want to quick do another roll call?

Fawn Tantillo 00:21

Manna Jo Greene

Legislator Greene 00:23

Present.

Fawn Tantillo 00:24

Peter Criswell.

Legislator Criswell 00:25

Here.

Fawn Tantillo 00:26

Laura Petit.

Legislator Petit 00:27

Here.

Fawn Tantillo 00:29

Mary Wawro.

Legislator Wawro 00:30

Here.

Fawn Tantillo 00:32

Al Bruno (Joined meeting after roll call)

Fawn Tantillo 00:34

Also with us tonight is Tim DeGraff, Katherine Beinkafner, Charles Landi, David Gordon, and Amanda LaValle. And I think that's everybody that's here, except Jay and I. So, I think that's it.

Legislator Greene 00:57

All right. We have called the meeting to order. Fawn, do you have a flag?

Fawn Tantillo 01:02

I do.

Legislator Greene 01:04

All right.

Committee Members 01:09

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Legislator Greene 01:34

Okay.

Fawn Tantillo 01:36

Put the video on you know, if you want.

Legislator Greene 01:45

And I'd like to ask if folks have had a chance to read the minutes of the July 6 meeting of the Energy and Environment Committee. And If so, I would entertain a motion to approve the minutes.

Legislator Petit 02:07

I'll make that motion.

Legislator Greene 02:09

Thank you, Legislator, Petit.

Legislator Criswell 02:11

I'll second that.

Legislator Greene 02:12

Thank you, Legislator Criswell, thank you. All in favor, please indicate by saying aye.

Committee Members 02:19

Aye.

Legislator Greene 02:21

Anyone Opposed? The motion carries.

And before we get into we only have three resolutions tonight, which is good. I've invited Katherine Beinkafner, a board member of the Ulster County Resource Recovery Agency (UCRRA) who, with myself and Legislator Petit, and several others, Angelina Peone and is it I think it's Peone no Peone, and several others, took a Zero Waste training. And then we had the privilege of doing a presentation at SUNY New Paltz, which also included a tour of the New Paltz Recycling. Not that day, but people scheduled special trips to the New Paltz Reduce Reuse and Recycling Center. And also it included tour of the Zero Waste or Moving Towards Zero Waste Practices at the SUNY campus in their cafeteria.

So, one of the presentations by our Clearwater board member, Clearwater [laughter]... our UCRRA a board member was really excellent and I think it will set the tone for a productive discussion. I hoped to do this last month, but tonight Katherine is ready to share her screen and do a brief presentation on Zero Waste and why it's important in in a global climate crisis. Thank you, Katherine.

Katherine Beinkafner 04:17

Can you all see the slideshow?

Legislator Greene 04:20

Yep.

Katherine Beinkafner 04:21

Okay. Good evening everyone. This is quite interesting. I've never done this before. It's going to be a grand experiment. Anyway, we did this conference at College in New Paltz, and it was actually, Lisa Mitten, a member of the UCRRA board was planning to have Judith Enck, who was the former EPA Administrator from Region 2, which is includes New York, come and talk about Beyond Plastics, her new Group and her energies into dealing with plastics. So, Lisa invited us to come and talk about Zero Waste as well. So I am,

volunteered to give a PowerPoint presentation. And lo and behold, that's what I did. Most of my slides come from, from the Agency or from Charlie Whitaker, who's taken photographs of different things out in the field. So let's go to the next slide.

Fawn Tantillo 05:34

Before you start, Katherine, we have a caller at 845-234-8317. Is that, Dave?

David Haldeman 05:43

Yes, it is.

Fawn Tantillo 05:44

All right. Thank you, Dave. Go right ahead, Katherine.

Katherine Beinkafner 05:50

Okay. So, we have one more person. Good. Okay, let's go for the next slide. Okay, Fawn.

Fawn Tantillo 05:56

Hang on. I'm on the wrong thing there.

Katherine Beinkafner 05:58

Fawn has agreed to do the next thing of the slides.

Fawn Tantillo 06:02

I think I have. I'll do it this way.

Katherine Beinkafner 06:09

Okay, here we are. This is me. I'm actually a geologist by training and I have a lot of experience in working in landfills and developing geologic and hydrologic studies of landfills and also closing them. So, interesting that you will find out that my opinion of landfills is not what you might think it is.

Next slide.

This is a slide from the Agency. It's kind of nice because it gives us little pictures of the mission of the Agency from left to right. You can see municipal solid waste obviously, is what we do most of and is our bread and butter. Just dealing with all solid waste coming from our communities and trucking it off to the landfill.

Dual stream recycling, we do a lot of recycling. Hopefully, we'll be able to do more in the future. We're not our record isn't the best for recycling but it's not bad either.

Organics. We've been composting with food waste, and so, that's really the organics recovery. The wonderful thing about that is it takes all of that heavy water-laden material out of the waste stream. So we do this is what we're sending off to landfill.

Electronic recycling. We've been having a big green box out in front of the Agency office. But with COVID. Now we've changed things around and we have Saturday's people can bring their electronic stuff and put it in a new box which is just to the right, as you face the office building, and that's open on Saturdays.

Household hazardous waste, we do usually three different locations and collections each year. Due to COVID, probably we will only have one.

Outreach education. We have a recycling coordinator and the recycling educator, two people. Angelina Peone, who's here with us tonight. And Melinda France, who visits the schools and also does presentations to other groups and teaches them about mostly recycling, but also about other forms of waste management.

About the next slide. This is an air photo of the UCRRA facility here in Kingston. And I don't know if everybody on the board has visited on your committee, but you're definitely welcome to come and have a visit. It's worth just seeing how it all works. Okay, in the middle of the top of the building, it says recycling on top of it.

That's the MRC, the Material Recovery Facility. That's where recycling occurs. Inside of that building, we have a sort line of people who do the sorting of the recycling material. So, the upshot of that is our recycling products are clean. We don't have a lot of contamination. It isn't mixed up with a lot of stuff.

Here are facilities where they take all of the materials and crunch it up into little pieces and then sort out with magnets and other electronic means, and their contamination is too high. That's what happened with China; they stopped taking recycling materials because the amount of contamination was just too high for them to use in processing and making other materials and equipment.

To the right of that, you see the word "compost." That's where we have two big areas, which are concrete floors with those big concrete blocks around them. And in each one we start a batch of compost. We've actually started pouring more concrete and making a much bigger area adjacent to that to be able to do even more composting.

And right in the center, where it says, "waste scale," everything that comes and goes from our facility has to be weighed. So, if somebody comes in their little truck and gets a load of compost, they weigh you empty and then they weigh it full, and then you pay by the ton.

Laura Petit

Should we hold your questions till the end, Katherine? Wondering the new composting facility was going to be breaking ground yet.

Katherine Beinkafner 11:11

Well, they've started pouring more concrete. So, we haven't done we, I don't think they started making it there yet, but we still have those two big areas that are, you'll see in the photograph.

The tipping floor, down in the center middle, that's where the garbage trucks come in and dump their load. I guess it's because.. I don't know why it's called tipping. Maybe because you tip the truck and the stuff wells out, I don't know. But anyway, that's the transfer station where all the local haulers bring garbage and trash, etc. And also on Saturdays, people, individual citizens are allowed to come also.

And then the building to the far left, lower left, vehicle maintenance facility, that's where we maintain our equipment. And we have a lot of equipment that we maintain in-house. That's what we have in UCRRA in Kingston. We also have another transfer station in New Paltz where the haulers can bring their trucks with trash here too.

So, next slide. When we were doing this, it was at the college, so, I was addressing where does the waste go? But I also want to address something else with this topic. This idea of Zero Waste and what we mean by it. Because to me, I think there's two definitions. One definition is that we have this waste stream. Well, these things coming in and we're trying to reduce it. So, one way to reduce it is by diverting, taking stuff out of it, which could still be used for something else. So, diversion is probably the biggest part of trying to get to Zero Waste. Like taking out the food waste for the compost. That's a gigantic amount of material that's not going off to the landfill.

The other concept related to Zero Waste in my mind is... there are technologies now, and this is what the Solid Waste Management Plan is that the Agency has that was approved by DEC. It means that we have to figure out what are we going to do when our landfill closes. And the landfill, I'll show you in a minute where it's located, we have about three more years and it's going to close. So, we have to figure out what to do with our waste.

There are alternatives. One would be to have in-county landfill. But there are other alternatives that I actually favor because they actually use pyrolysis, or some other form of very high temperature combustion and oxygen, and out of it, you get different products. Sometimes you get diesel fuel. So, sometimes you get hydrogen, which is a commodity, it can be sold.

And you get a sin gas when you subject the garbage and trash to high temperatures. And the synthetic gas can be put through a turbine and generate electricity. So, then you would get electricity out of this method of destroying your trash and garbage. Sometimes ash comes out and other times you get more like a rock kind of stone kind of product.

And there's a company in New Jersey which has some operating facilities, none in this country, but they're looking to build one in this country. So, I really want to engage them in conversation to see if they would be interested. They've actually come up to Kingston. Unfortunately, the guy came on the Fourth of July. And I had no idea he was coming up to visit or I would have welcomed him and taken him around, showed him things, and I had no idea. He was just curious about where was Kingston.

And then there's another company in California. And they have a contract with an army facility where they have yet another Zero Waste plan but their facility is too small. We have them a lot more tons of trash every year than they could deal with their operating facility. But it doesn't mean couldn't be redesigned to be bigger. And then there are other facilities with other methods of trying to get to Zero Waste. Zero Waste is really a goal. I don't know as you can really always get to zero waste, it always seems like there's something that isn't going to go away easily.

So, let's go for the next slide. And here we are at... this is at the New Paltz Transfer Station. You can see County Waste is dumping out all the bags of trash that they brought in. And you just see the bottom of the word Volvo, that's the arm of this big huge bucket piece of equipment and it's going to start picking up the trash from the floor and lifting it up and over the wall and dumping it into the truck. It goes to landfill.

Now in Kingston, when the trash is on the floor like this, we actually have people there who are watching to see what is coming out of the back of the truck. And we're diverting stuff out all the time, and I'm going to show you some photographs of some of the stuff that gets diverted. It's very dangerous. So, the men are very, very cautious about how they handle it, and what they're doing and, where's the truck, and where's the machinery that's moving the garbage and everything else.

But we've been very successful at actually reducing the amount of garbage. I was on the UCRRA Board like 10 years ago, and right then we started talking about it. And then when I came back on the Board two years ago, it was nice to find that we have a very significant program that's actually going on. So, it's rewarding to find, you know, while I was absent, things continued and got better and better.

So let's go through the next slide. Here's the truck and the tipping floor is to the upper left, you can just see the top of the wall there. So, all the garbage is up there on the upper left, and then that big Volvo machine is lifting it up and dumping it into the trailer behind the compactor there. So, that that's how we load it up to go to the landfill.

Next slide. Okay, here we are starting in New Paltz. If we went up to Seneca Meadows Landfill, it's 250 miles. Let's go back to the map. But it's really 500 miles because the trucks go and come back. So, we have one heck of a carbon footprint Using all this diesel fuel to get our waste up there and back to take the next load.

So next slide. So, as I mentioned diversion is really the means of reducing what's going to the landfill right now. So, here we have a whole pile of air conditioners We take out the air conditioners. I think the next

slide is some freezers and refrigerators. We take the gas out of them and actually save the gas. So, that is recycled. And then the rest of the parts and pieces go out for recycling also to be used in new fabrication.

So next slide. We also divert fluorescent tubes and wire. What do we have next? Oh, tires. Oh, yes. Do we have tires? Tons of them. So we take those out too.

And next. Oh, here we are. This is over in the MRC. There's cardboard recycling in the back there that's bundled. And then the electronic waste, the vendor who takes it, it all has to be wrapped up. So, it's wrapped up in plastic. Well, that's waiting for them to come get it.

Oh, next slide. Okay, so here are those two areas I mentioned, they're set up with the concrete blocks where we make the compost. So, we can make it back into the compost and each of those areas. Here's where we collect the clean wood and also yard waste, brush, lawn clippings, all kinds of stuff like that. And then they grind up all of this brush and wood into fine chips.

And then next. We accept food waste. First we put that in the compost area. And you can hear this. This is quite a nice collection of fruits, watermelons and some pineapples and tomatoes, and I don't know what else, but must have been summertime. So, right now we actually have someone bringing the waste food waste from Westchester. And we have a continued five more years of the same Agency bringing us more.

I see Angie is telling us about other things we do.

Okay, so here's little dog houses and they actually have huge big blowers in them. And then we have PVC piping that actually pumps the air out underneath the compost to aerate it. And that helps make the compost. Now that I don't have any photographs of the compost other than minutes, but actually, once it's finished, we sell it by the ton, for \$30 a ton. When people come in their trucks, and they put it in for you, and then they weigh you, then you pay by the ton. Also we have bags now. And we're going to be selling bags of compost. But we haven't started up the bagging yet, there's a problem with getting the bagging.

I see some of the other things that I wanted to mention was we also collect fabrics and textiles. I had a photo with that, but it got deleted once we had to make things shorter. And I didn't show the one where we actually grind up the wood but I didn't mention about the grinding of the wood.

And let's see, what is the next slide? Ah, okay, we didn't miss this one. Okay.

This is kind of interesting because it just goes through a bunch of "re" something-or-others, and reuse. Don't consume what you don't need to. In other words, Manna, are we good shoppers. We can buy everything. Maybe we should think about it twice and not buy so much. Reduce.

Bring Your Own. I think bring your own means when you... we often go to meetings we bring our own silverware and plate. So, we can just take it back home with us.

Reuse and uses for old things like they can be reused somehow.

Repair, another person who gave it to look at our session at the college was John Waxman, and it was about his Repair Cafes. And apparently there are several groups that meet, usually on Saturdays at different places, often churches. And they have a session where people are there to help you fix broken items. So, you can get things fixed.

Regift. Donate something that you don't want. I always think of my grandmother, she was a very social Lady. For Christmas, she would get Chanel No. 5. And I love Chanel, and on my birthday, she would regift me the Chanel. I thought that was pretty cool.

So, recover composts food scraps. We're really doing some course, as an Agency, to train people on how to do home composting, and first we have our own program on site.

Recycle. Know your program and recycle right! I think right now we have a big problem with recycling in the state. Because we have a lot of plastic, and all these clamshell things, that can't be recycled. We either have to figure out how to stop using those, or recycling, or we have to get DEC to intervene, or we have to do something. Although I did speak to the people in New Jersey, about their waste to energy project. They said, "oh, that plastic is wonderful. That'll just create, you know, lots and lots of lots of power." So, I don't know, it may actually have to work out.

Okay. So I think that's the last slide. Let's see what's next. Yeah. So any questions?

Fawn Tantillo 26:12

Do you need an appointment to bring electronics?

Katherine Beinkafner 26:19

Come on Saturday. I would guess something like, I don't know what time are we open on Saturday? Who knows? I do.

Timothy DeGraff 26:29

I do. We're open on Saturdays from 7:00 am to 3:00 pm to take electronics. We have a gravel road, right to the right, across from our office, before you get into the main facilities. We have a gate there. Now we have a worker station there who's checking people in. And we also have another worker who's loading up the boxes at the far end of the gravel road. And we have barrels and cones set up to direct traffic around outside of our office parking lot. So ,that way, they actually go down into the facility. It's separated

Legislator Greene 27:05

Any other questions?

Fawn Tantillo 27:07

I think if Laura, or Mary, or Peter has a question you have to unmute yourself. There, Laura unmuted herself. I don't know.

Legislator Greene 27:19

Thank you very much. And it would be good. You know, we welcome you to stay through the discussion because the resolutions tonight really focus a lot on the UCRRA and Zero Waste planning

Legislator Criswell 27:37

[Inaudible]... if we wanted to go on a tour?

Legislator Greene 27:43

Say again?

Legislator Criswell 27:44

When would be the best time to go on a tour if we wanted to take a tour. Is there a day of the week that works best for your organization?

Timothy DeGraff 27:52

I would just... I would just call the office and talk to me, or send me an email. That's fine, and I'll set it up.

Fawn Tantillo 28:00

We've done a couple of tours, group tours, but the social distancing I'm not sure that would be the best thing right now. But it's an amazing facility. You should also, if you haven't seen it, go down and see what Laura's doing in New Paltz. And definitely visit a Repair Cafe when they start doing them again.

Legislator Petit 28:29

We've done a couple of those virtually too, which is a neat idea.

Katherine Beinkafner 28:35

Really?

Fawn Tantillo 28:37

I had a nice metal plant stand that had broken and they guy welded it for me in two seconds, and I love it.

Katherine Beinkafner 28:47

Wow.

Legislator Greene 28:50

All right. Well, with that, we don't have any other questions right now, we can get back to other questions, if they arise, but I'd like to move to the resolutions. I'm also mindful that we have guests for old business. And I just want to be sure that Amanda and Angie are, and well, Dave is not doing a presentation, but are you fine with us going through the resolutions and then coming to your business? And if you're on mute, okay, go ahead, Amanda, please.

Amanda LaValle 29:41

Yes, that's fine, Manna. Thank you.

Legislator Greene 29:44

You're welcome. So, the first resolution on our agenda tonight is to approve the Ulster County Local Solid Waste Management Plan, which, as Katherine mentioned, has been approved by DEC. And now has to go through the Legislature. I do want to say that for the past, you know, this month and the previous month, the Solid Waste Planning Commission had written a request to the Agency to commit to a collaboratively developed, what was called the "Zero Waste Action Plan," and I took the liberty of changing the word "action" to the word "implementation." And Fawn, can I just double-check just this committee need to approve that amendment, or, since it's still in a...

Fawn Tantillo 30:58

If it is in the resolution, you'll be approving that change in the title. But I think the title is that right now. Also, this resolution needs to be moved for discussion before you [inaudible].

Legislator Petit 31:13

I will move it for the purpose of discussion.

Legislator Wawro 31:15

I'll second.

Legislator Greene 31:19

All right. So, thank you for that reminder. My feeling is that if we're going to be successful at waste diversion, we need to create a Zero Waste Implementation Plan that actually parallels the Local Solid Waste Management Plan in that it has an implementation schedule, that it's not just aspirational, that sound really implementable. That'd be collaboratively developed if, and I want to acknowledge the excellent work of the Recycling Oversight Committee.

But if it's developed by one committee, and not using collaborative process, I'm not sure that that will be successful. And I think it's critical that we really create a model that is implementable, and very effective. So, you know, one of the whereases is cites that. And it's my understanding that the Agency has created a committee, but they have not, to my knowledge, and certainly not in a resolution, as requested, provided a resolution saying that they will work with, for example, the Department of Environment is certainly an

interested agency. And I'm not speaking in secret terms, but just has an interest. And also, I think, given what we have been discussing about Zero Waste, probably be Department of Economic Development also should be part of that discussion. So, it would be the Executive Branch, the Legislature, represented by the Recycling Oversight Committee, and possibly the Solid Waste Management Planning Committee, and the Energy Environment Committee, and the UCRRA. And also other knowledgeable community members to participate in this collaborative planning process.

So, I'd like to hear from others but my... As I think, sponsor, and I spoke with Legislator Bartels, and we are both of the opinion that we want to get that commitment from the Agency before acting on this resolution.

Charles Landi 34:45

Manna.

Legislator Greene 34:47

Charlie, I saw Legislator Petit's stand up.

Charles Landi 34:51

Okay, okay.

Legislator Greene 34:53

Yep.

Legislator Petit 34:54

Okay. I agree with you. We were looking to work collaboratively, the Zero Waste Implementation Plan is supposed to be a standalone document to work in tandem with the Local Solid Waste Management Plan. And I think... And I have a philosophical difference in Zero Waste. I don't believe that putting it into a burn plant to reduce volume is in fact Zero Waste. It's at the upstream generation to reduce it from there and then whatever's left would go into a burn plant or landfill.

And I would, I now, I'm very concerned. So, I would like a guarantee that we will get assistance in creating a document, or at least an Implementation Plan that the Solid Waste Authority, as the county vendor, is able to work with. And along with that, because I am getting a lot of good comments on, you know, on the planet it exists, to separate it out for the different branches. You know, and even UCAT. They were looking at promoting public transit and non-motorized transportation. So, they should be included too.

But I would really just like to see a buy-in on this, you know, taking in 152,000 tons. And you know, after speaking with Angelina, she pointed me to the 2019 Recycling and Waste Report, and the total volume that that's been reported to her, for Ulster County is over 250,000 tons. That is the representation of our waste stream, not what was in the solid waste document which was 150.

Legislator Greene 36:51

Charlie Landi, please.

Charles Landi 36:54

Manna, I'm little bit concerned about holding up Resolution 242 and not sending it to the Legislature for their approval. Because on April 28, the New York State Department of Environmental Conservation approved the plan. And then on June 2, the Ulster County Resource Recovery Agency approved the plan. And I think if there's something to be amended to the plan, that maybe it should wait for the biannual review. But I do think it should it should move to the Legislative floor.

Legislator Greene 37:35

Charlie, I absolutely share your sense of urgency. I'm keenly aware Seneca Meadows is likely to close within five years, and I want to see us to, you know, be able to site a local landfill, but as others have said, we want to see that landfill be downsized because of aggressive waste diversion. And also, last longer. So, you know, it's great that a committee was formed. But I think we need a commitment to create a Zero Waste Implementation Plan by the end of this year. And if others feel differently, you know, they're welcome to chime in.

Legislator Criswell 38:38

What would be the ramifications of delaying this to get what you're asking for Manna Jo?

Legislator Greene 38:46

Well, I you know, I think the Agency can, let's say over the next month... and I saw your hand, Amanda... I'll be right there. Over the next month, if they're ready to, they can start to develop an RFP for some of the technologies that are listed in the plan for year one. I don't think, my sense is, there's no strong objection to the plan other than the widely shared concern that it doesn't have an implementation plan for the diversionary strategies other than considering the expansion, or either retrofitting, or upgrading the Materials Recovery Facility. Amanda.

Amanda LaValle 39:53

I have a question. It's really more, kind of procedural. I was looking through the resolution for any mention of SEQRA, and also through the packet to see if there was any SEQRA documentation. And I was wondering if someone could speak to where that is.

Legislator Greene 40:13

Is attorney Gordon on the call? That's a very good point. Now, we missed that once before, and the Executive Branch was kind enough to remind us, and I said I would never miss it again. But it let's check on that and see if we get an opinion from Dave Gordon.

David Gordon 40:39

Amanda, could you repeat that?

Amanda LaValle 40:41

I'm looking for any of this... I don't see any reference, in the body of the resolution to SEQRA, either by the County Legislature or by the UCRRA Board for adoption of this Solid Waste Management Plan. And I didn't see any backup documentation, either in the consultants reports or in the packet, for any type of SEQRA done for this.

David Gordon 41:15

That raises the question who the adoption agency is. It's really the RRA is really the adoption agency. So, the question would be primarily for them. I would also suggest that in looking at the Zero Waste Implementation Plan, with the second oversight committee over the last month or so, I came to the conclusion that there is a Type II exemption for that type of planning document. Basically, because once you adopt it, there's got to be future actions to be taken before anything is going to impact the environment. There's going to be no trucks sent out tomorrow. There is going to be no waste diversion. And there's a specific Type II item, and the Type II lists that involves, essentially, planning. So, I determined that the Zero Waste Implementation Plan was Type II, but I never looked at it with respect to this because it was primarily, it's primarily the RRA's document. But I would guess that it would fall in the same category.

Amanda LaValle 42:11

I would, I'm not the attorney, but I tend to disagree. I see it as an actually, you know, the first item under Type I, are comprehensive resource management plans as a Type I action. And I believe this type of plan, I've always seen SEQRA documentation within the past. So, I'm just wondering, what's going on with that.

David Gordon 42:48

We probably want to touch base with Ken on that. You are making a good point. There is, there is... this is going to be a Type I action, then we're going to be looking at, I mean, there's going to be some significant research involved in it.

Amanda LaValle 43:02

Yeah.

David Gordon 43:02

I'm not sure who's prepared to do that, you know, you know, staffing that. Definitely, I want to compare notes with Ken. But you make a good point, there is a difference between the Zero Waste Implementation Plan and Solid Waste Management.

Amanda LaValle 43:17

And it's, it's typically done by the hired consultant. I used to do that type of SEQRA documentation. So, it's typically done by the consultants who are working on the plan. But it has to be a coordinated review. I went back through the DEC letter. I didn't see any mention of DEC taking on kind of lead agency. You know, they said it had been approved under 360 and things like that, but they didn't mention anything about SEQRA. Um, but I think it's a...I think Ken needs to look at it.

David Gordon 43:57

Amanda, are you familiar with any other Solid Waste Management Plans, for any other county, or any other waste agency getting a sense of especially pause deck or

Amanda LaValle 44:10

pause deck but they're an EA, long form EAF and a coordinated review.

David Gordon 44:20

Tim, has... Did Ken ever broach that with you guys.

Timothy DeGraff 44:24

No. I'm a little bit on the outside, looking in, throughout the process. I wasn't brought into it all that much. But I can tell you that SEQRA was never mentioned. I never heard anything about it or discussed. I made a note, I can reach out tomorrow to Ken and to Cornerstone to see if they have anything to say about it.

David Gordon 44:45

And if we can be helpful, have them give me a call on that. I'm happy to happy to work with them on it. We'd have to figure out who the lead agency was. I guess it would be RRA. So, I'm happy to work with happy to work with them.

Timothy DeGraff 44:48

Will do.

Legislator Greene 45:00

Here's a here's an example. Suffolk County publishing to the Environmental Notice Bulletin (ENB) of the adoption of their updated Solid Waste Management Plan.

Amanda LaValle 45:13

So, being published to the ENB as a Type I action.

David Gordon 45:18

Amanda, who's the lead agency? Was it the County Legislature the or the County Resource Agency.

Amanda LaValle 45:24

In this case, it was the Town Board was the lead agency because it's a Local Solid Waste Management Plan.

Fawn Tantillo 45:36

And it may not be established the same way our agency is

David Gordon 45:41

Because a county won't be.

Fawn Tantillo 45:42

No, um, anyway...

David Gordon 45:47

All right.

Legislator Petit 45:49

The 1991 Solid Waste Management Plan, the resolution does have reference to SEQRA, and that is negative declaration. It's an unlisted action under SEQRA. Ah, and it was resolved by the Ulster County Resource Recovery Agency, as follows. I just sent you that link. If you're on our email stream

David Gordon 46:14

Amanda is suggesting that it's a Type 1 action. So, we have to control that stuff.

Legislator Greene 46:21

How do we get a definitive answer?

David Gordon 46:24

Well, ultimately, assuming the agency, assuming the RRA is the lead agency, it should be the lead agency's counsel, but they've got a problem. They've already adopted it.

We've got that. That creates problem. We were in the same situation last year, really different matter. And we rescinded our approval and then adopted it after [inaudible]. So, the agency has got to decide what they want to do about that.

Legislator Petit 46:56

They adopted it? Well, I mean, can we pull the resolution on online to see if their counsel did put it in the resolution.

David Gordon 47:03

I looked. I looked, there's one other way to look at it, which is interesting for us. They adopted it without a neg deck. Well, what was the date?, it was adopted?

1991 No, no original.

Legislator Petit 47:16

Oh, this one. What was it? May, April or May of this year.

Charles Landi 47:20

April 28. The DC approved it, and I had the approval letter in front of me. And it says nothing about SEQRA.

David Gordon 47:31

When did the agency adopted it?

Legislator Greene 47:34

June 2.

Charles Landi 47:35

June? That's right, June 2.

David Gordon 47:37

It's a full month statute of limitations that would wind up there. So, we got to coordinate that

Charles Landi 47:47

Manna, just between us. I think holding it up, is a waste of time only in so much as you're coming upon that first two year review. If there's something that we want to change, that would be the time to change it because this is ready to go before the Legislature. And I would, I'm a little bit concerned about holding length about an existing Solid Waste Management Systems and ticks them right off, just like EPA did. And, and Angie Peone sent that listing down, known as the EPA Zero Waste Toolkit, and very efficient eight pages on what should be done to attain Zero Waste. And my hat is off to Angie on that. But I am adamant, that I think, and I'm of course I'm not even a voting member, but I did vote for it on the RRA Board, I think it should progress to the Legislative floor as rapidly as possible.

David Gordon 49:06

So Charlie, this is Dave. Based on what Amanda just said, I can't.

Charles Landi 49:14

I don't know why can't. The DEC didn't pick up on SEQRA review? The DEC approved it. I have the letter right here. If we're going to talk about SEQRA review, maybe we should go back to the DEC to do that. But it seems to me that being the state legal authority that it is, it would pick up on SEQRA review.

David Gordon 49:43

We'll figure it out.

Legislator Greene 49:48

Would any other committee members like to speak to this because I would like to suggest an action and again, but Mary, did I see your hand? Yes.

Legislator Wawro 50:05

I think this raises a few concerns that maybe we should... if we put it off, but make sure that we don't do it any longer than next month.

Legislator Greene 50:16

I completely agree. And I would appeal to the RRA board members and staff. Somebody needs to put their speaker on mute. To consider the action that we recommended, you know, at your past board meeting. And see if the committee could agree to pass that resolution. Take the time to check with the agency attorney. And I think I would ask attorney Gordon to check with the DEC. Because, you know, ultimately, it seems to me that they make decisions unless there's actually a lawsuit, an Article 78, or something like that. People usually check with the DEC. And because this involves all of us, if Amanda could possibly check with the county attorney, just I think it would be better to be clear on the SEQRA issue. And also, that would give time to get a resolution.

David Gordon 51:53

I would just want to point out that there is there is a problem with a couple of things. The RRA [inaudible].

Chairwoman Greene 52:13

I think the noise might be coming from your... see if that helps. Thank you.

David Gordon 52:18

Okay, think that there is a threat. There's a form of statute limitations. Of course, I don't know if anybody would bring any claim, but um, your race is going to be vulnerable for another two months. And if we passed it, we'd be vulnerable performance. We've got a problem. I think Amanda's pointed this out and other folks have done it differently and that issues out there unless you I mean, you don't I mean, that's, the legislature could decide not to, I mean, just, you know, risk it. If you're satisfied, but it's there.

Legislator Criswell 52:56

I personally feel like the some things can We just need to do our due diligence and find out what the issue is. And we can't I don't feel comfortable moving forward until we explore this and get a real answer.

Legislator Greene 53:14

So, I'm going to suggest that we hold this again in committee. And I agree that if we can possibly resolve these issues,

I would like to move it in August, rather. This is August in in September, if at all possible, I really don't want to delay the process. But I think we have two outstanding issues that need to be resolved as best we can. So fun, can I just say that or do we need to have a motion? You're on mute.

Fawn Tantillo 54:00

I think Mary row has her hand up.

Legislator Greene 54:03

Oh, Mary, please. You have to unmute.

Legislator Wawro 54:06

Okay, sorry. I just think that we have to be, that maybe we should touch base in a couple weeks and make sure we're on track for being able to vote next month. Just so time doesn't get ahead of us. And if we have any other questions, we can get them addressed before the next meeting.

Legislator Greene 54:23

Good suggestion. Thank you, Legislator Wawro. Fawn, is there anything I need to do? Or the committee needs to do or can I just make it

Fawn Tantillo 54:35

No action, or you can vote to postpone, either way.

Legislator Greene 54:42

I think given the legal situation, maybe we should vote to postpone. Do I hear a motion? I saw a hand. Was that Legislator Petit? You're on mute.

Legislator Petit 54:58

Fawn muted me. I'll make that motion.

Legislator Criswell 55:11

I'll second that.

Legislator Greene 55:13

Second, Criswell.

Legislator Greene 55:15

All in favor, please indicate by raising your hand and saying, "Aye."

Charles Landi 55:27

Record my... I'm not a voting member of this committee, but I would be I would be a no vote to hold it up.

Legislator Greene 55:35

Okay, that's now in the minutes.

Legislator Petit 55:40

Manna, I actually have a question to Counsel. I mean, is there any reason why the UCRRA a isn't still proceeding forward? I mean, there's a Solid Waste Management Plan in place. It was modified for transfer stations. But this has been approved by DEC, is there a reason why you're still you don't want to move forward with it?

David Gordon 56:05

But I don't want to move forward with it?

Legislator Petit 56:07

No, no, but why they can't. I'm sorry, I was thinking that...

David Gordon 56:10

I well, they're in a funny situation. They've approved it. But their approval may not be fully legal. They haven't done a SEQRA review. And we end the secondary problem... And by the way, this plan is, there's a lot more substance to it, than there is to [inaudible] when I was advising you on the Zero Waste Plan. This plan, we're going to be looking at, you know, variety of different things, although, again, not specifically implementing tomorrow, but as Amanda's pointed out, there's a specific category for this sort of, you know, resource management.

The other reason is that we're involved agency and we are legally not allowed to take an action until a SEQRA review is done. As an involved agency, we're dependent on the lead agency's security. So, they did a neck deck, we're bound by that and covers us. If they do a [NIS] we participate in that and covers us. But if there's no SEQRA at all, we, I mean, my legal advice is we are legally without authority to move forward. If you want to do it, you can do it and risk a lawsuit, make your own judgment. But that's the thing boils down

Legislator Greene 57:26

Tim DeGraff.

Timothy DeGraff 57:28

Yeah, I'm not going to pretend to not be ignorant to all this. But I just want to pose the question. SEQRA done by the DEC, correct? It's not? So, who does the SEQRA? Who's responsible for it?

David Gordon 57:43

Tim, in any action where there are a number of agencies that are literally involved and legal involved. Legally involved means you have an approval. Literally involvement means you're just working on it. But many

actions where there are a number of agencies that legally involved, the agencies, under SEQRA choose one to be the lead agency. Usually that's the one who's most central to it, and also has the best resources to review it. DEC typically doesn't do that.

Let me give you an example. Suppose there's a 25 lot subdivision in your town, and it's going to be infringing on a DEC wetland. So, it needs a wetlands permit, as well as subdivision approval. Almost always, in fact, literally, 99.9% of the time, the lead agency is going to be the Town Planning Board. DEC is going to be involved because they have a weapons permit. But the basic, the core approval there is going to be by the planning board. And so, they're also going to be the security agency, they will do the environmental review, they will do the neck deck if they want to do an environmental impact statement. In this case, we haven't chosen one because we never went through the process. And that process can be contentious if we decide to be or not, but in this case, the most likely lead agency would be the Agency

Timothy DeGraff 58:58

Okay.

David Gordon 59:01

And you've already done... and we could discuss it, you could you could offload it onto the county if you wanted to, or the Agency could do it, and whichever would hire their consultants. The problem in this case is that you've already done your approval. And so, has DEC for that matter. And so, we should just put our heads together and figure out what to do. I think Amanda's raised a good point, we ought to have an answer before we move forward. If the Legislature felt it was an emergency, they could, they could give it a shot. But, you know, my advice would be that we're exposed on that, let's put it that way. And so are you at this point.

Timothy DeGraff 59:34

Ten-four. Thank you.

Legislator Greene 59:36

And I just want to also add that it makes sense, I think, to all of us that the Agency would be the lead agency but because the Legislature has to vote has to vote on essentially final approval. We are an involved agency. So, you know, this should be straightened out. And Legislator Wawro suggested that we touch base in a couple of weeks and try to understand what we've come up with so that we are prepared in September. And I, if there's no other discussion, I'd like to move to the next item on the agenda.

Charles Landi 1:00:27

Manna.

Legislator Greene 1:00:29

Yes, Charlie.

Charles Landi 1:00:30

There's one paragraph in the in the DEC's letter of approval, and I'd like to read it for the record. "Based on this review, the department has determined that the county's Local Solid Waste Management Plan provides substantive consideration of the elements set forth in New York State's Environmental Conservation Law Section 27-0107 and the state's Solid Waste Management Facilities Regulations, 6NYCRR, Part 366-2 and constitutes an approvable plan." I think, you know, I think we're forgetting that the DEC scrutinized this plan. And now we're coming up with a SEQRA review question? I think there's something wrong here.

Legislator Greene 1:01:26

Well, we're trying to find out for sure.

Amanda LaValle 1:01:29

I would just say that I just reread that letter, Charlie, and that's a different citation. And it really the onus is on the, the, the Agency or the county to do the review under SEQRA. And I found more examples that have of notices of Solid Waste Management Plans going through this review. It's a different part of DEC that does that. This, but that's... it's a separate process than how they were reviewing it and approving it in that letter.

Charles Landi 1:02:07

Manna, one final thing. This is not the first plan that the DEC has approved for the county. The first one was when the RRA was first initiated in 1986. And that plan went into action, at that time, and proceeded for 10 years after that until this plan was reinstated.

Legislator Greene 1:02:36

I think Laura Petit spoke to that. Katherine.

Katherine Beinkafner 1:02:45

Well, Laura did mention that the 1991 plan, was a SEQRA determination. And I think we can lead the Agency through it. I have enough experience with SEQRA and the Planning Board and we can get through it. I don't know how much experience Ken [Gilligan] has. So, maybe if I were to need some advice from Dave Gordon, that would be helpful.

Legislator Greene 1:03:13

Great.

David Gordon 1:03:14

I'm happy to assist any way I can. Ken certainly has to be consulted on the need to do SEQRA. Ultimately, he's got to... actually Ken and your board have to make that determination whether you think it's Type II or not. Amanda's... I am going to be very interested in seeing some of the, you know, some of the examples

that she's got. But the issues clearly before us, ultimately, your counsel has to make that decision. If you need any help from me, or Ken needs any help, I'm certainly happy to provide it.

Katherine Beinkafner 1:03:40

Okay, good. I'm also let me go back to the Zero Waste consideration. The board didn't pass a resolution, because suddenly it was before us without any time to consider it. So, it isn't we don't want to pass such a resolution. And we will add probably at the next meeting. Now we have the new committee. We didn't have this committee before. The committee hasn't met yet. It will be meeting before our next board meeting. So, I would imagine that will actually have resolution. And, you know, we certainly want to include Zero Waste more in the management plan than is in there at the moment. But the way it's set up is to edit the plan every two years, so probably we wouldn't be editing the plan until we get to next year. But it's not that we don't want to do Zero Waste. There's very

I think... oh, sorry, I didn't mean to cut you off. You know, we invested in training and everything. I mean, this isn't as though we're not interested.

Legislator Greene 1:04:52

And given the urgency of the global climate crisis, you know, this is one way that we can address it. There are many other ways. But you know, there's several layers of urgency. So, I think that if the agency can take action, and I want you to be clear that that action includes thinking about a process that we get from what we have now, which we'll be discussing shortly, and, and a full Zero Waste Implementation Plan. There has to be an understanding of who's participating, who's setting up meetings, who's taking the lead to ensure that between now and the end of the year we actually accomplish this goal. So, it can start to be implemented. It can start to be implemented next year. And then it could, we'll have another year or so experience, to refine what the agency might want to do to amend it when the two year review comes up. So, I think that all fits together. And I'm sorry for a one-month delay, but I think there are two outstanding issues that could be effectively addressed. And I haven't heard other concerns from either this committee or the legislature other than the ones we've been discussing.

Legislator Greene 1:06:35

So, with that, I'd like to move on to Resolution 243, which is urging New York State Legislature to increase recycling and reduce municipal waste costs by expanding the New York State Returnable Container Act, otherwise known as the bottle Bill. And Legislator Petit, I think you brought this forward.

Legislator Petit 1:07:06

Actually I didn't. This was something that the Resource Recovery Agency had on their agenda. And Chairman Donaldson brought it forward.

Legislator Greene 1:07:15

Oh, okay. Thank you. I don't have it right in front of me. I just have the agenda.

Legislator Petit 1:07:20

And I you know, I think it's great. I would love to see a bigger better bottle bill for everything. Because I think you get a much cleaner product. That includes juice and milk and all other containers. I understand. I'm on the NYSAR Solid Waste Commission for the legislative part of it. And the MECs really would like us to stay away from plastics, and other types. They're pushing the glass because you'll get a really clean product. When you bring back an item, a deposit bottle. The vendor, the merchant won't take it with, you know, if it's dirty, if it's filled up with whatever, it has to be clean and dry. And you know that that was the purpose of this memorializing resolution. At present time, and I think that's when the question came up, I don't know, if there's currently a bill, you know, in the Assembly or Senate, perhaps somebody from the Agency could talk about that. But, you know, again, in the pure thought of a good clean product, you know, and that's been the demise of our recycling system. I would like to see all bottles, but I am okay starting with glass.

Legislator Greene 1:08:45

Anybody know whether, and this came up before, and I don't know that anybody checked on it. I think we discussed this before and wondered whether this relates to an actual bill or is a general memorializing resolution. All right. So we're speaking about it. Do I hear a motion to consider this for purposes of discussion?

Legislator Criswell 1:09:24

So moved.

Legislator Greene 1:09:28

And do I hear a second?

Legislator Petit 1:09:31

I'll second.

Legislator Greene 1:09:33

Okay. What is the will of the committee? Do we want to take action on this.

Charles Landi 1:09:46

Manna, isn't this a memorializing resolution?

Legislator Greene 1:09:51

Yeah.

Charles Landi 1:09:52

So, it has no impact at all. It's just the recommendation to the State Legislature. Is that right?

Legislator Greene 1:10:00

Yes, whatever impact memorial is memorializing resolutions can or cannot have, but, you know, it's but, it's not an actual action by the Ulster County Legislature other than an action of, you know, urging an action.

Legislator Criswell 1:10:27

I think it's a reasonable memorializing resolution that should move forward.

Legislator Greene 1:10:34

Okay. Can I call the question then? Is everybody ready? Anybody have any further discussion? Okay. Call the question. All in favor of resolution number 243. urging the legislature, the state legislature, to increase recycling and reduction and reduce municipal waste management cost by expanding the New York State Container Act Did you did you have one more thing to add before?

Committee Members 1:11:13

Aye.

Legislator Greene 1:11:15

Anyone opposed?

Legislator Greene 1:11:17

Okay, Resolution No. 243 passes unanimously.

Legislator Greene 1:11:24

For those members present. And now we have Resolution No 265 Establishing A Zero Waste Implementation Plan for Ulster County. And Legislator Petit, would you... Oh, maybe we should get a motion in a second, so, we can for purposes of discussion, okay.

Mary Wawro 1:11:48

I'll make a motion okay.

Legislator Greene 1:11:51

Okay. Legislator Criswell second.?

Legislator Criswell 1:11:55

Yes.

Fawn Tantillo 1:11:57

Was that Wawro and Criswell?

Legislator Petit 1:11:59

Yes.

Legislator Wawro 1:12:00

Yeah.

Legislator Criswell 1:12:01

Yeah.

Legislator Greene 1:12:04

All right, please speak to your resolution and we'll have some discussion.

Legislator Petit 1:12:09

Okay, hopefully lots of discussion. So, we do have another ROC meeting scheduled for the 10th. And we're going to focus on this. We also have someone, Josephine, who is willing to help us pull out the action steps so we can create an actual implementation schedule.

I think with a lot of the feedback that we're getting, the Action Plan, which are the steps under each item, or reference to you know, MSW, a MRC, whatever, is that, you know, from our Solid Waste Authority, if we need them to do all of the encouraging and when you know, whatever. That is beyond hope. So, we will need input from the Department of the Environment. And you know, especially since there's a section in there on green businesses, there's a reference to the Green Academy, it would be nice to get an implementation schedule or some comment back from our local schools, both of the SUNY campuses. There's also, let's see, Department Environment, UCAT. You know, I had actually pointed that out under tires, because it said encourage use of non-motorized transportation and public transit.

So, there is more that needs to be done on this. And, you know, I don't think that we would have gotten to where we were if we had thrown it out there so we could get the input. And I'd also like to put it out there after tonight's conversation. That perhaps we could get an implementation schedule with some bullet points out of this document if the RRA would be willing to, you know, agree or approve those steps. I think I'd be a lot more comfortable putting the draft Solid Waste Management Plan.

Legislator Criswell 1:14:30

Yeah, I'm really in agreement with Legislator Petit on referring to the conversation tonight. I think that these two plans need to dovetail into each other. There needs to be conversation between these two plans. So, that they can both move forward in sync and with content and with timing. So...

Charles Landi 1:14:52

I agree with that, Manna, if I may.

Legislator Greene

Yes.

Charles Landi

In the in the index of the plan, there's 14 pages devoted to exactly what we're voting on here. Existing Solid Waste Management Systems and it ticks them off in all 14 pages, to waste reduction programs, organics, education outreach, online resources, electronics, other waste, zero waste. Everything that we're going to vote on here, we just didn't approve in the master plan. Something. There's something going on here. Excuse me.

Legislator Criswell 1:15:35

I see it as an opportunity. You now have 14 pages of a plan already made to step on.

Charles Landi 1:15:42

But we didn't approve it.

Legislator Petit 1:15:45

I agree with Legislator Criswell. I mean, the plan referenced Zero Waste and waste reduction. But in the back, under their schedule, that schedule. There's nothing. There's no outline. There's no outline for future programs such as you know, purchasing an Andela Glass Crusher so you can crush the thousand times glass that you're getting. There's nothing in there about, you know, taking a look at the MEC. It was built in 2002. It's 18 years old. And I think in one of, on your front page, actually, where it has questions, you know, why don't we take all kinds of plastic, and it says in there because there's no optical sorter. So, I think we need to, you know, for me to be comfortable at least, I won't speak for everyone else, have other implementations, or implementable actions, as part of the agreement with the with the Solid Waste Management Plan. As I read it right now, it only has four different technologies. One is rail. So, sending it, you know, 2000 miles away by rail. One of it is incineration and another is landfilling.

Legislator Greene 1:17:12

I would like to add my comments and say that, um, as much work as went into what was called the Zero Waste Action Plan, and I'm hoping we'll modify it to a Zero Waste Implementation Plan. It doesn't specify for the actions, by whom, in other words, is a department responsible? Overall the Agency is responsible for managing solid waste in Ulster County. But there may be aspects in a waste diversion plan that are best done by a department or some other entity. So, I think by whom has to be spelled out for each of the actions, how will happen, and when it will happen.

And there was a process that when we started to do a Zero Waste Plan. The Recycling Oversight Committee has done a lot of work to develop a foundation. I strongly feel that you know, it's going to take a little time and I that's why I've been asking and Solid Waste Management Commission, Solid Waste Planning Commission. I think there was consensus there, that this should be completed by the end of the year. And I don't think anybody has any objection once there's a commitment to working on it to go ahead, and once the SEQRA issue is resolved, to go ahead and pass the Solid Waste Plan.

But I do want that commitment to include how we're going to get the plan done. Are we going to start with what the Recycling Oversight Committee has developed as a foundation and try to fill in the missing pieces. And also see if there really is consensus on each of the recommendations. You know, I think they're all valid, but I think it takes a group process. And if we get through that group process, I think we're going to be in very good shape for implementing it and really can bring all the benefits of a strong waste diversion plan. And, you know, one that's collaboratively developed so that the various agencies and departments and everybody is working together.

And we've heard, you know, from the Legislature, and we've heard from some of the agency board members and staff, Amanda, you're one of the departments. And since you kindly stayed on the call, I'd like to just get your take on this because you're probably the department that, you know, ultimately might be most involved, other than also Economic Development, because some of the recommendations in the plan that we're speaking about establishing a Zero Waste Implementation Plan for Ulster County, some of those include very specific plans that are directed at economic development. So, I just wonder if you have any input either on the content, or the process, or the value.

Amanda LaValle 1:21:29

A couple of different questions. One is actually for Dave Gordon. And I'm just wondering if the fact that the SEQRA review issue needs to be revisited with the LWSMP, does that change at all in how you're kind of... I know your thought of this plan, as kind of a standalone, type II plan, you know, planning without implementation document. But does that kind of change where you're thinking this should happen in kind of in sequence?

David Gordon 1:22:19

I'm not quite understanding your question. Are you asking whether changes a SEQRA requests of changes my thinking on the SEQRA classification of the Zero Waste Plan?

Amanda LaValle 1:22:29

Or the sequence of what you would want to see that happen? Like would you, you know, to pass resolution around a Zero Waste Plan before the bigger kind of issue which is the Solid Waste Management Plan has kind of been bedded through SEQRA and been you kind of know...

David Gordon 1:22:50

No, I don't think so. The SEQRA issue on the Solid Waste Management Plan is separate. The two planning processes going slightly different directions. I mean, just to be blunt, the Solid Waste Management will be looking ultimately at questions of, you know, we're going to have a landfill for example. Or are we going to have an incinerator, or something like that? Whereas the Zero Waste Implementation Plan is looking at questions like, you know, how do we have more Repair Cafes? And how do we get more people to make less tires? It's a, it's a completely different scale. Now, there has been a desire on the part of some legislators to essentially acknowledge this Zero Waste Plan in Solid Waste Management Plan. And so, that's the

question that comes to mind comes, how do we load one after the other. But I'm not that concerned about the...

Amanda LaValle 1:23:39

Okay.

David Gordon 1:23:39

But I will tell you that since, you 're now looking at... I was looking at the Type II classification, which says basically a planning process where you're not going to be, you know, ordering the trucks, or the concrete tomorrow. You're pointing out that there is a Type I classification for Solid Waste Management Plans, which is Resource Management Plan. And so, I want take a second look at whether the Zero Waste Plan can fall into that. I don't think it does still, but given the fact that a lot of other people in the state seem to be naturally falling into that for Solid Waste Management Plans. I want to be certain on that before I advise the legislature, finally. But I think we can move forward with both of them, depending on how the legislature wants to handle the issue of acknowledgement of the Zero Waste Plan.

Amanda LaValle 1:24:24

Okay.

Legislator Greene 1:24:27

Fawn, yes, go ahead. But let's come back to Amanda.

Fawn Tantillo 1:24:31

Oh, you can finish with Amanda, it's a separate topic, but I'll make that [inaudible].

Amanda LaValle 1:24:36

Okay. And then, I had a second point. And I did actually forget it, so... well, move on.

Fawn Tantillo 1:24:48

I'll jump in for one second then. Just to clarify, the name of this plan, right now, is the Zero Waste Implementation Plan. That is the name of it officially as it came out. There is one typo in the last whereas where we still refer to it as an "action plan." So, we would like to change that one word to "implementation." So, there is an amendment that this, can use at some point, to change that one word, so that it's uniformly the same, but it is right now officially called the Zero Waste Implementation Plan known as the ZWIP plan.

Legislator Petit 1:25:28

ZWIP. Wow.

Amanda LaValle 1:25:33

Okay, and I remember my, I remember now. The other thing that I was thinking of was when... Manna, a group of you went to go and see the film plastic recycling facility down in New Jersey and came back with just great stories about this. But the thing that stuck in my mind the most about the report-out on that trip was the reason why those plants, or a big driver why those plants were viable now, film plastic recycling. was that California has passed a law that requires like 20% recycled plastic content in garbage bags and in other film plastic bags.

And that single thing, you know, you can try to, you know, change, you know, tax infrastructure in New York State or, you know, have the EDA try to get industry to Ulster County for recycling. But it was that one policy decision that drove the market, right. And that's a huge piece of this. And that's where I feel like you have to have a hit list for what's going to be the driver at the state level. That can shift these industries and shift the markets. Garbage bags, to have recycled plastic in them has created a domestic plastic recycling industry in California that even reaches to this place in Jersey.

So, I think those steps are as important as kind of, oh, our Economic Development Department should be looking at this. But really, there's a sweeter spot as far as scale and instrument that needs to be tended to. So, that's what I mean.

Legislator Greene 1:27:33

And I just want to be sure everyone knows that Senator Metzger was contacted and had developed a bill. And I don't remember what the percentage was, but to require plastic garbage bags in New York to have recycled content, and I think it was 20% also, I think was modeled after the California bill. And then COVID happened and, you know, threw everything into a turmoil. But I think I had mentioned that the planning process needs to include by whom, how and by when. But I also think we need to, for each of those actions, identify, is the policy change needed? Because then it would be either taking action in the county, if that makes sense, or doing a memorializing resolution to the state, for example, in support of a bill that has recycled content. But you're spot on about, you know what we learned, and quite a few of us took that trip.

Fawn Tantillo 1:28:55

I want to acknowledge that Legislator Bruno has joined us. And I'll just write a comment. The same thing holds true for asphalt. And a lot of states, they put recycled materials, glass and plastic in asphalt. And that's against the regulations in New York. So, that's another law that could be changed and create a demand for recycled materials.

Amanda LaValle 1:29:20

So I'm... go ahead, please. And another big point that we've been discussing here and actually have some points on this. Because if this were, you know, to be passed. This is again, a really good chance to take advantage and kind of merge objectives with the Climate Smart Communities Program. Again, the county's looking at recertification April, around April of 2021. There are a lot of actions in the Climate Smart Communities program that you know, this should be tied right into it. And also, EPA waste wise, there are

things here where you should be kind of leveling it up to the state programs to the federal programs that helps you get funding that helps you get grants. It helps the county with our recertification. It provides some kind of, you know, rationale beyond just this plan for why we would be paying attention to certain items. It could really be bolstered by a lot of looking at the Climate Smart Communities Program.

Legislator Petit 1:30:37

I think we should steal you.

Legislator Greene 1:30:40

If I may, could, I hate to make more work for anybody right now, because I know how thin we're all stretched, but could you just write those two comments up? I think that'd be extremely helpful because somehow we have to coordinate all of this. We haven't quite defined that, but I sense a real strong willingness to cooperate and share information. And that's what's going get us to the best results

And it is getting late. So, given some of the questions that have been answered, and my sense that Resolution 265 refers to a plan that needs more work. I want to ask if the sponsor would consider either having the committee hold it, or as we did, postpone it, as we did with the Local Solid Waste Plan.

Legislator Petit 1:31:54

Yeah, just you know, a question on the process. Can we make change, can we postpone it and make changes? And then that we can do that. Okay. All right. Yeah, I'm okay with postponing. I do recognize it needs work. I'm just looking for feedback. You know, such as the, you know, the feedback that Amanda LaValle just gave us. And there's components of it in there. It's just not highlighted. And honestly, I think as we develop, again, the implementation schedules, it should, there should be one for each part of the process, even the legislative process. You know, I just forwarded that California plastic law, which is supposedly the toughest in the world. Maybe Ulster County can do the second toughest in the world. I don't know. But thank you. Thank you, Amanda. Thank you, Manna.

Legislator Greene 1:32:47

And I also want to thank Josephine. I know how helpful she was in just hearing and recording what everyone said and weaving it together. So, I think she'll be a real asset to the process you had mentioned, she had volunteered. And we don't have funds to pay someone to coordinate this. But as much leadership as the Agency wants to take, would be welcome. But we'll figure out a process and move forward. And so, are we postponing or holding?

Legislator Petit 1:33:28

Postponing. Does it matter to hold or postpone?

Fawn Tantillo 1:33:32

You have to have a motion to postpone. Is someone making that motion?

Legislator Criswell 1:33:38

I'll make a motion that we postpone this for one month. Is that what we're doing? Do we put a time?

Fawn Tantillo 1:33:43

It always has to be one month, at the next meeting.

Legislator Criswell 1:33:46

There we go.

Legislator Greene 1:33:49

Legislator Wawro.

Fawn Tantillo 1:33:52

So we're postponing

Legislator Greene 1:33:55

Okay. All right.

Fawn Tantillo 1:33:56

So, postponing with the sponsor's permission.

Legislator Greene 1:34:02

With sponsors permission. Yes. All in favor?

Committee Members 1:34:07

Aye.

Legislator Greene 1:34:09

Opposed?

Legislator Greene 1:34:10

We have unanimous support to postpone and to move forward with a planning with a process to understand how we're going to refine this. And we're now up to new business. Any new business anyone would like to bring up?

Old business is the New York Green Amendment. And we had both a memorializing, a letter rather, and also a possible memorializing resolution.

Fawn Tantillo 1:34:53

Both of them around the OneDrive for you to look at, samples.

Legislator Greene 1:34:58

And I think at this point, we don't have a resolution. But the question is, does the committee want to move forward? And this is a resolution to actually encourage a modification of the state... we had a presentation on this last month, of the New York State Constitution, an amendment to the Constitution that gives, you know, more rights to protect the environment. And I'm not articulating that very well. But my question is, do we want to proceed with a possible letter, or if folks have had a chance to look at this, with a memorializing resolution, and we can work on that, taking a possible action on that next month.

Legislator Criswell.

Legislator Criswell 1:36:20

I think there's two things. One is a very practical urgency to get people to sign this. So I'm not sure what a memorializing resolution would do to get that action happening. So, I'm a little concerned that we could go through the process of more like a resolution, and what we really need to signatures to move it forward. But I do agree that if this is going to move forward, we should be getting on the right side of this, which I think is it's a positive idea. So, there's two things going on there. You know, like how do we get the action out there right now, which is needed to get the signatures, and then how we put this in front of people who are going to see that we were behind this idea.

Legislator Greene 1:37:09

Okay, on this question and just there was a little feedback when you were speaking. Just were you favoring a resolution or a letter?

Legislator Criswell 1:37:29

Sorry, I have a train going by. I think, I don't know actually, which would be more... I guess that's what I was asking what's going to be the, the tool that we can use to get people to sign on to this petition?

Legislator Greene 1:37:52

I think the people that presented last month would really appreciate a resolution but they're absolutely fine with a letter they just they need to begin to show support, to build support, for a New York Green Amendment, and I apologize that I am not... I've got a lot on my mind. Go ahead. Legislator, Bruno, please.

Legislator Bruno 1:38:24

So, essentially, a letter we can do easily. Yeah. So, I mean, if we're all on the same page, we can do a letter quickly and easily. And then I think at that point, it makes it simple. Let's just do that. That's just my opinion. If you need something in a hurry, I'm not sure what the timeframe is, based on what Peter was saying.

Legislator Greene 1:38:48

Legislator Wawro.

Legislator Wawro 1:38:52

I agree. Because if we do a letter, we know something's going to... we're actually taking an action. We go through a resolution, if we don't get enough support, then we kind of were out of luck and wasted a lot of time.

Legislator Greene 1:39:06

Okay, so, we have a sample letter. I would like everybody to read it over carefully. And let's put that as an agenda item, not new business, but as an actual agenda item for the September meeting. Yes.

Legislator Criswell 1:39:28

Can we then follow it up with a resolution?

Legislator Greene 1:39:31

Absolutely.

Legislator Criswell 1:39:32

Great.

Legislator Bruno 1:39:34

We can get a letter out there so they know the direction we're heading. And then at least they have the support of a committee at this point. And then, if we can get a resolution that was supportive, the entire legislature is that much better. But I think we need to make a statement, initially, on where we're going.

Legislator Petit 1:39:50

I just... do we need to put a letter on the agenda, can we... We can't just write a letter and sign on to it?

Legislator Greene 1:39:59

We do have a letter. I don't have it immediately in front of us. We have a sample letter that they've provided. That's the only reason I'm saying to wait. So, that we're all really clear for next month. Unless everybody else is clear, I'm in favor. I just feel a little bit, you know, that I can't articulate it, and I feel badly about that. Legislator Wawro. Yes, please.

Mary Wawro 1:40:31

Another point about the letter, it would give us a good feel of who's willing to sign up for it as to where a resolution would stand.

Legislator Greene 1:40:41

Perfect.

Legislator Bruno 1:40:42

Except whoever wants to sign on to the letter. Absolutely.

Fawn Tantillo 1:40:47

So, Manna Jo, you can get the sample letter over and then we can just send it to all legislators and see who wants to sign it on. That's normally how we do a memorializing letter.

Legislator Greene 1:40:57

Perfect.

Fawn Tantillo 1:40:57

So, you can just look it over...

Fawn Tantillo 1:41:00

We don't have to wait till next month, right?

I will send you the sample again, and you take a look at it. And you can just then send it out to anybody you want to look at it to review it, if you'd like. And once we send it, then we can send it to the full legislature. And we can put your signatures on it electronically, like we usually do.

Legislator Criswell 1:41:22

Can we also send the link for the petition itself, because what's going to be most effective is if we send out our constituents, this petition signature link.

Fawn Tantillo 1:41:36

I don't know about the petition. This is just a memorializing letter that I have. But we can see if they have a petition, we can put it in the letter, if they have a link.

Legislator Greene 1:41:50

Fawn, do you have the contact information from the presenters from last month?

Fawn Tantillo

I do.

Legislator Greene

So, it can you check on a petition? The only two things I've read over For where the petition arose resolution and the draft letter.

Fawn Tantillo 1:42:08

I can contact them and ask if they have it.

Legislator Greene 1:42:10

Then maybe a petition that the...that our constituents would want to support. So, we'll get back to you with all three.

Climate Smart. I just want to let folks know that part of the reason I'm a little... I'm not on top of my game is that I just came through a 10 week... 10-day, but felt like week's, opportunity to mentor 20 people for the Climate Reality Project, Al Gore's Climate Reality Project. At the same time, there were 10,000 people around the world participating and 500 mentors. And then in this area, we had a group of 25 mentors involved in mentoring 20 people over the course of 10 days who took the full Climate Reality training.

And it really felt like a tipping point to think that 10,000 people around the world were learning about, you know, the details of the climate reality and the climate solutions. So, you know, and they were challenged to understand their own climate story, their relationship to the climate crisis. To look at impacts, particularly local impacts. We tend to look at fires in California and, you know, severe storms in other places, not that we've not experienced severe storms. We tend to think about the climate crisis, and in the Arctic and Antarctic and Greenland, and so forth. But people were encouraged to look at their own community and their own direct experience, both from perspective impacts and effective climate solutions.

And we now have a cadre of trained people. The local chapter of Climate Reality is, has just more than doubled in size, and I would like to recommend for the Climate Smart Committee, that we actually get a representative from the Climate Reality Program, we're down one person. So, I'm going to see if we can find somebody because then those two very parallel initiatives would be, you know, represented. And I serve as a liaison, but I also chair the committee. I'd rather have a committee member. So I'm going to see if we can fill that vacancy.

Fawn Tantillo 1:45:28

We have a message that Dave Haldeman wanted to speak.

Legislator Greene 1:45:32

Please, Dave, I'm sorry. I please add to the conversation before we go.

Dave Haldeman 1:45:41

I don't know that I really had recommended and decided I needed to speak. There's been some discussion in our last couple meetings about protecting rivers and streams in Ulster County, with numerous towns having difficulty understanding what the protection along the river sides, particularly the not the streams themselves, but on the buffer zones along the rivers and streams. There's also been some discussion about multiple towns facing dumping of construction debris. And so, those are things we're discussing right now. It may be something that we want to bring to the committee for its attention at some time in the future.

Legislator Petit 1:46:27

That's illegal in Ulster County now.

Dave Haldeman 1:46:32

Well, yeah, but figuring out how to deal with it is a real problem.

Legislator Greene 1:46:40

I do want to say that there is a coalition that is strongly supporting a resolution to protect intermittent streams and such. Riverkeeper was very active in that, and many of the other water organizations. And I believe that passed in New York, and as a counterbalance to the undoing of some environmental protections that are happening in Washington. Anything else?

Dave Haldeman 1:47:20

Thank you.

Legislator Greene 1:47:21

Thank you. And we appreciate that, that update. Anything else on the agenda?

And I want to specifically thank Kathy for that presentation, which really puts us all on this same page. And all the work that the Recycling Oversight Committee has done. I'm very encouraged that we're going to move forward in a way that is going to put Ulster County on the map in terms of sound Solid Waste Planning.

Legislator Bruno 1:47:57

And in a good way.

Legislator Greene 1:48:00

Yeah, and Amanda's help us keep track of the of the various Climate Smart Actions we are taking and don't necessarily remember, are high impact actions. Thank you.

All right. Thank you, everyone. We didn't do too badly. And have a good night. Any final business before I call for a motion to adjourn?

Legislator Bruno 1:48:27

Sorry, I'm late, everybody. I couldn't help it. I had to take care of...

Legislator Greene 1:48:39

Very cooperative and I really appreciate it. And thanks to Fawn for keeping us on track. And we'll get some answers. And we'll call for a motion to adjourn.

Legislator Criswell 1:48:51

Move to adjourn.

Legislator Bruno 1:48:58

Second.

Legislator Greene 1:48:56

Motion by Legislator Criswell and seconded by Legislator Bruno. All in favor?

Legislator Greene 1:49:04

Aye.

Legislator Greene 1:49:05

Anyone opposed?

Legislator Greene 1:49:07

The meeting is adjourned. Thank you all.