

**Energy & Environment Committee  
Meeting Minutes**

**DATE & TIME:** April 4, 2019; 6:00  
**LOCATION:** KL Binder Library, 6<sup>th</sup> Floor, COB, Kingston, NY  
**PRESIDING OFFICER:** Chairman Manna Jo Green  
**LEGISLATIVE STAFF:** Fawn A. Tantillo  
**PRESENT:** Legislators Lynn Eckert, Jonathan Heppner, Mary Wawro, Brian Woltman (departed 7:33) and Tracey Bartels (departed at 7:25)  
**ABSENT:** None  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislator Laura Petit; Tim Rose, Ulster County Resource Recovery Agency (UCRRA); Eric Stewart, Town of Marbletown EMC and member of Ulster County EMC.

Chairman Greene called the meeting to order at approximately 6:00 pm.

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**Motion No. 1** - To move into executive session for the purpose of discussing potential appointments for the Recycling Oversight Committee and allowing fellow Legislators to remain for the interviews.

**Motion Made By:** Legislator Woltman  
**Motion Seconded By:** Legislator Heppner

**Discussion:** None

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro, Woltman and Bartels  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Approved

**Motion No. 2** – To move out of executive session at approximately 6:27 noting that no action was taken.

**Motion Made By:** Legislator Wawro  
**Motion Seconded By:** Legislator Heppner

**Discussion:** None  
**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro, Woltman and Bartels  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Approved

Chairman Greene lead the Pledge of Allegiance and made introductions.

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**Motion No. 3:** To Approve the Minutes March 7 and 18, 2019  
**Motion Made By:** Legislator Wawro  
**Motion Seconded By:** Legislator Heppner

**Discussion:** None

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro, Woltman and Bartels  
**Voting Against:** None  
**No. of Votes in Favor:** 6  
**No. of Votes Against:** 0  
**Disposition:** Approved

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➤ Mr. Rose gave an update on the UCRRA. Highlights included a tour of the facility with newly appointed board members and he reported that in May they would be opening bids for haulers.

The committee discussed recycling issues that included clam shell plastics, continuing to allow cereal boxes to be recycled with paper, the cost and quality issues around glass recycling, potential new biotech technology of a bacteria that eats plastic and Styrofoam, the need to incentivize manufacturing that uses recycling materials, need for expanded producer responsibility, how the UCRRA handles complaints and ensures compliance with recycling regulations and the potential for towns to join together to purchase their own pelletizers.

➤ Chairman Bartels discussed the potential impacts to the Ulster County Bring-your-own-bag legislation (BYOB) in light of New York State passing a plastic bag ban. She is working with experts in the field to break down the various issues and understand if or how the Ulster County regulations could be preempted by the State Law.

One key issue is the 5-cent fee for paper bags. Both laws include and exemption for individuals on SNAP and WIC. In the Ulster County regulation, the 5-cent fee is retained by retailers. In the State law, if the county opts into the 5-cent fee it would be split between the NYS Environmental Protection Fund and the County's Environmental Education Program. Chairman Bartels feels that the Legislature needs to decide how they would want to proceed before the County's BYOB takes effect rather than have businesses collecting the 5-cent fee and then take it away from them.

Chairman Bartels also praised her legislative colleagues for their foresight and leadership in supporting this legislation. She said Ulster County should be proud because our BYOB legislation was spoken of often during the NY State lawmakers' discussion on a plastic bag ban.

➤ Legislator Wawro discussed a concern regarding a C&D processing facility currently before the Saugerties ZBA. Apparently, the facility is registered by not permitted with the New York State Department of Environmental Conservation (NYS DEC). This is an important distinction for such a facility and Legislator Wawro has questions about how the NYS DEC ensures they are not receiving un-permitted materials.

➤ Chairman Greene mentioned that two of tonight's resolution are for PILOTs for solar projects. She noted that in Resolution No. 166 the revenue for the New Beginnings Solar Project is listed as \$3,500/MEGAWATT and in Resolution No. 167 the revenue for the Reischer Solar Project is \$1,166.67/MEGAWATT - less than half the revenue of the New Beginnings Solar PILOT.

Chairman Greene asked that staff request a better explanation of how this revenue was established for these and future solar project PILOTs.

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**Motion No. 4:** to discuss Resolution No. 128 - Adopting Proposed Local Law No. 20 Of 2018 As Amended, A Local Law Requiring Restaurants And Fast Food Service Establishments Provide Plastic Beverage Straws Solely Upon Request

**Resolution Summary:** This resolution will approve a proposed local law to regulate the distribution of plastic straws by food establishments in Ulster County.

**Motion By:** Legislator Woltman  
**Motion Seconded By:** Legislator Eckert

**Discussion:** Legislator Wawro repeated her ongoing concerns that this law so close to the BYOBag legislation banning single use plastic bags might create a negative atmosphere for the BYOBag law. She had hoped to work with fellow legislators and develop an working group to partner local restaurants and business to address the use of plastic products in a more comprehensive way.

Legislator Eckert was empathetic to businesses especially fast food restaurants with drive throughs but she is also troubled by single use plastics.

Legislator Woltman agreed with Legislator Wawro and would rather see a comprehensive law to address all single use plastics. He noted the plastic stray is usually stuck through a plastic lid into a plastic cup. He cannot support this proposed local law because it is not comprehensive.

Legislator Heppner understood concerns but noted this was a first step that he believes will build a conversation and encourage local businesses to look for alternatives. He noted some local bars and restaurants have stopped using plastic stirring straws altogether. He noted that it shows local businesses that reducing plastics is “doable” and is no extra cost to the business.

Chairman Bartels agreed with Legislator Heppner and believes the law has an educational component that will encourage business to transition. He discussed how straws are used in public places but usually not at home.

Mr. Stewart said Marbletown has a similar law that has been in effect for a year and most businesses felt it was an easy step. He noted that there have been few complaints in Marbletown. He also told the committee and Miami, Florida has banned plastic straws.

**Motion By:** Legislator Woltman  
**Motion Seconded By:** Legislator Eckert

**Voting in Favor:** Legislators Greene, Eckert, Heppner and Bartels  
**Voting Against:** Legislator Wawro and Woltman  
**No. of Votes in Favor:** 4  
**No. of Votes Against:** 2  
**Disposition:** Approved

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**Motion No. 5:** to approve Resolution No. 165 - Supporting Notice Of Intent Of Ulster County To Serve As Lead Agency For The Removal Of The Mount Pleasant Bridge In The Town Of Shandaken – Department of Public Works

**Resolution Summary:** By this resolution, Ulster County Legislature will declare itself lead agency for SEQRA; determined it as an Unlisted Action

**Motion By:** Legislator Heppner

**Motion Seconded By:** Legislator Woltman

**Discussion:** None

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro and Woltman

**Voting Against:** None

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 6:** to approve Resolution No. 166 - Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With New Beginnings Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 4

**Resolution Summary:** This resolution will authorize the Chair to enter into a PILOT agreement with New Beginnings Solar, LLC.

**Motion By:** Legislator Heppner

**Motion Seconded By:** Legislator Woltman

**Discussion:** None

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro and Woltman

**Voting Against:** None

**No. of Votes in Favor:** 5

**No. of Votes Against:** 0

**Disposition:** Approved

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**Motion No. 7:** to approve Resolution No. 167 - Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Reinsender Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487

**Resolution Summary:** This resolution will authorize the Chair to enter into a PILOT agreement with New Reinsender, LLC.

**Motion By:** Legislator Heppner

**Motion Seconded By:** Legislator Woltman

**Discussion:** Chairman Greene noted the difference in the per megawatt revenue of these two projects and reiterated the need for more detail regarding how the revenue is calculated.

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro and Woltman  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 8:** to approve Resolution No. 168 - Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The New York Environmental Protection And Spill Compensation Fund For Distribution Of Proceeds From Tax Foreclosure Sale For A Parcel Of County Owned Property At 454 Hurley Avenue, In The Town of Ulster, Tax Map Number 48.17-1-41.100 – Department Of Finance

**Resolution Summary:** This resolution will authorize the Chair to enter into an agreement with the New York Environmental Protection And Spill Compensation Fund relative to the sale of a county owned parcel.

**Motion By:** Legislator Wawro  
**Motion Seconded By:** Legislator Woltman

**Discussion:** None

**Voting in Favor:** Legislators Greene, Eckert, Heppner, Wawro and Woltman  
**Voting Against:** None  
**No. of Votes in Favor:** 5  
**No. of Votes Against:** 0

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### **New Business:**

Chairman Greene gave the committee an update on progress of legislation to address food waste composting by large food distributors. She noted that the State of New York is now considering similar legislation. She thanked Legislator Petit and Legislative Clerk Fabella for their work on the preliminary drafts of the local legislation. She reported that stakeholders that have been part of the process from the start are offering positive feedback.

On May 19, she scheduled a stakeholders meeting in the Legislative Chambers to review the proposed local law.

### **Old Business:**

Chairman Greene reported on the Climate Smart Committee. There is an upcoming presentation on storage for renewable energy. She said this is the next important issue for renewable energy to ensure capacity for times of peak demand.

Chairman Greene reported progress of the Green Business Challenge. There is a posting for a GB Coordinator and a training is scheduled in the Town of Saugerties through the Chamber of Commerce. She feels it is important to have one person dedicated to follow up with businesses. She noted the good job the Department of the Environment is doing but recognizes they have a lot of ongoing responsibilities and the added task of educating the public as the new BYOBag legislation takes effect.

Chairman Greene asked if there was any other business, hearing none

**Motion to Adjourn**

**Motion Made By:** Legislator Heppner

**Motion Seconded By:** Legislator Eckert

**No. of Votes in Favor:** 4

**No. of Votes Against:** 0

**Time:** 8:05 pm

**Respectfully submitted by:** Fawn Tantillo

**Minutes Approved:** May 9, 2019