

**Energy & Environment Committee  
Meeting Minutes**

**DATE & TIME:** June 6, 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 Jonathan Heppner and Mary Wawro,  
**ABSENT:** Legislators Lynn Eckert and Brian Woltman  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Kathy Nolan and Laura Petit; Legislative Counsel David Gordon; Christopher White, Deputy Commissioner of Planning, Nick Mercurio.

Chairman Greene called the meeting to order at approximately 6:10 pm, lead the Pledge of Allegiance.

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**Motion No. 1 -** To Approve the Minutes May 9, 2019  
**Motion Made By:** Legislator Heppner  
**Motion Seconded By:** Legislator Wawro

**Discussion:** None

**Voting in Favor:** Legislators Greene, Heppner and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 2:** to approve • Resolution No. 243 - Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Removal Of The Mount Pleasant Bridge – Department Of Public Works (Highways and Bridges)

**Resolution No. 205 Summary:** This resolution will declare a will allow the County acting as lead agency to make a Negative Declaration under SEQRA for the removal of the county owned Mt. Pleasant Bridge that connects Mt. Pleasant/Risely Road on the west bank of the Esopus Creek with New York State Route 212 on the opposite bank in the Town of Shandaken, using a previously approved grant from the Catskill Watershed Corp.

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

**Discussion:** Mr. White explained that the Mt. Pleasant Bridge had been closed to traffic since 1986 and closed to pedestrians since 1990. It was being removed along with the supporting pier as a flood mitigation. UC DPW coordinated with NYS Parks and Recreation to create a formal record of the historic bridge and install signage to commemorate it.

**Voting in Favor:** Legislators Greene, Heppner and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**Motion No. 3:** to approve Resolution No. 244 - Declaring Intent To Act As Lead Agency Under SEQRA For Capital Project No. 479 – Ulster County Midtown Linear Park (PIN 8761.82) – Department Of Planning

**Resolution Summary:** This resolution will begin the process to establish Ulster County as lead agency under SEQRA for the Ulster County Midtown Linear Park project.

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

**Discussion:** Mr. White explained that this is the next step in developing the Ulster County Linear Park from Kingston Plaza to Cornell St. He reminded the committee that previously .3-mile of track was removed and .8- mile will need to be removed in the next phase. The initial work on the .3-mile section was to accommodate police patrols in the area and install safety lighting. Plans are underway for upgrades next year to the entire area to improve the trail and install LED lighting.

Chair Greene recalled there was an issue regarding the section of track from the overpass to the plaza and asked if that had been resolved. Mr. White said that two possible designs were considered, one that removed all the track to Westbrook Lane and one that leaves 800 feet of track in place that is currently part of the CMRR permit area and build a trail around it. He said it was determined to leave the 800’ of track in place and build the trail around it.

**Voting in Favor:** Legislators Greene, Heppner and Wawro  
**Voting Against:** None  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Disposition:** Approved

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**New Business:**

- Resolution No. 268 for July 16, 2019 - Setting A Public Hearing On Proposed Local Law No. 3 Of 2019, A Local Law Amending Chapter 304, Article I Of The Code Of The County Of Ulster, To Be Held On Tuesday, August 13, 2019 At 6:00 PM

Legislator Petit explained that this resolution is slated to be introduced in July and is an essentially an anti-importation law. The existing law’s definition of refuse did not include construction and demolition (C&D) debris. The recent public outcry regarding a C&D dumping operation in Saugerties has drawn attention to the vulnerability of all communities in Ulster County.

Legislator Nolan agreed with the concept but suggested the situation is more complicated and this law may open the legislature to a law suit. She recommended the legislative and county attorneys work on this.

Mr. Gordon explained that for now he is recusing himself. Before becoming the Legislative Counsel, he had represented citizens in Saugerties who opposed the C&D operation. Since becoming legislative Counsel he stopped representing any Ulster County clients but a colleague is still representing the Saugerties clients. He suggested Majority Counsel Ragucci could work with legislators on this issue. He explained that conflict of interest rules do not require him to recuse himself, only that he fully disclose the relationship or prior relationship. He recommended that one course of action would be for elected officials to lobby DEC and State representative to change the laws state wide.

The committee went on to discuss this issue in detail and various ways to address the problem.

- Proposed Local Law Number 4 Of 2019 - A Local Law Amending Local Law No. 2 of 2019, A Local Law Requiring Restaurants And Fast Food Service Establishments Provide Plastic Beverage Straws Solely Upon Request, To Include Plastic Stirrers, Plastic Cutlery And Condiment Packets

Legislator Nolan noted that the recently passed Town of Woodstock law she recommended did not include condiment packets. She noted there are non-plastic alternatives to stirrers and cutlery but not to condiment packets. She also suggested they strike the reference to these items as “single use” because often people reuse items like plastic utensils and would argue they are not “single use” when the goal is to get rid of plastics.

Legislator Petit said that the purpose was to make these items available ‘upon request’ rather than giving them out without asking customers if they even want or use them.

Legislator Wawro repeated her preference to partner with local businesses rather than passing more regulations. She discussed a successful recycling seminar she sponsored for residents and businesses in Saugerties and praised the Ulster County Resource Recovery Agency staff for the presentation. She feels that efforts like that are well received, educational, and build important lines of communication. She still feels this is a preferable and more positive approach to this problem.

- Proposed Local Law – A Local Law Amending The Code Of The County Of Ulster to Include Mandatory Food Scraps Composting By Large Generators

Chair Greene introduced a draft of a proposed local law to regulate food composting in Ulster County. She has been meeting for several months with stakeholders that included large food waste generators that produce 2-tons of food waste a week, haulers and composting companies. They were making good progress on a proposed local law when NY State passed a similar law and they felt it was important to ensure a smooth transition when the state law takes effect.

New York State	Ulster County
Takes effect 2022	Takes effect 2020
applies to businesses who produce 2 tons of food waste per month	2020 applies to businesses who produce 2 ton of food waste per month 2021 applies to businesses who produce 1 ton of food waste per month
exempts health care facilities and schools	no exemptions
applies to businesses within 25 miles of a composting facility	applies to all businesses in Ulster County

The PLL for Ulster County includes a mechanism to evaluate the program and make determinations to eventually reduce the threshold over time to ¾ ton week or ½ ton a week.

Legislator Heppner questioned why enforcement is the Department of Health (DOH) and not the UCRRA.

Chair Greene said because the UCRRA does some composting, stakeholders felt it would be a conflict of interest for them to regulate other composting operations. The DOH already regulates food service and haulers so this seemed like the appropriate fit.

There was a discussion about how much extra work this would be for DOH and if it would require additional staff. Chair Greene noted that the first two years the regulations would only apply to approximately 50 businesses and many of the are already composting as part of the recognized hierarchy to reduce waste, donate to food pantries, donate for animal feed, then compost.

Legislator Heppner expressed concern about not exempting schools especially under the current budget restraints. With such tight budgets and such high property taxes he would not want the county to create an unfunded mandate and was concerned about how to mitigate the cost to public schools.

Chair Greene noted that stakeholders had and will work with schools. The committee discussed how this could be done on site in some cases and would also be an educational tool.

**Old Business**

Chair Greene gave an update on the Climate Smart Committee. She plans to meet with the new County Executive to expedite hiring a Green Business Coordinator that was approved in the 2019 County Budget. She reported a recent Green Business event in Saugerties was lightly attended but those that did attend were engaged.

The July Energy & Environment Committee meeting was rescheduled from July 4 to July 11 at 6:00.

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

**Motion to Adjourn**

**Motion Made By:** Legislator Heppner  
**Motion Seconded By:** Legislator Wawro  
**No. of Votes in Favor:** 3  
**No. of Votes Against:** 0  
**Time:** 7:52 pm

**Respectfully submitted by:** Fawn Tantillo  
**Minutes Approved:** July 11, 2019