

**Energy & Environment Committee
Meeting Minutes**

DATE & TIME: November 2, 2020; 6:15 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656,
Meeting ID: 910 6911 2235
PRESIDING OFFICER: Chairwoman Manna Jo Greene (Phone only – nonvoting)
LEGISLATIVE STAFF: Fawn A. Tantillo. Laurie Lichtenstein
PRESENT: Legislators Peter Criswell, Laura Petit (out at 8:00) and Mary
Wawro
ABSENT: Legislator Al Bruno
QUORUM PRESENT: Yes

OTHER ATTENDEES: David Gordon, Legislative Minority Counsel; Deputy
Executive Evelyn Wright; Tim DeGraff, Acting Director and Controller of the Ulster County
Resource Recovery Agency (UCRRA); Emily Hauser

Chairwoman Greene called the meeting to order at approximately 6:31 pm and lead the Pledge
of Allegiance.

Motion No. 1: **To Approve the Minutes of October 5, 2020**
Motion Made By: Legislator Criswell
Motion Seconded By: Legislator Petit

Discussion: None

Voting in Favor: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Minutes Approved**

Resolutions for the November 17, 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 Criswell

Motion Seconded By: Legislator Petit
Voting to Postpone: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Resolution Postponed with the consent of the sponsor.**

Resolution No. 323 - Declaring Intent To Act As Lead Agency Under The State Environmental Quality Review Act (SEQRA) For The Review Of The Draft Ulster County Local Solid Waste Management Plan

Resolution Summary: Ulster County Legislature will prepare a Full Environmental Assessment Form and circulate a notice of intent to be lead agency pursuant to 6 NYCRR § 617.6(b)(3) to the other involved agencies in the development and approval of the Ulster County UCRRA's Local Solid Waste Management Plan.

NOTE: Resolution was amended to *approve* the UCRRA's intent to be lead agency

Motion No. 4: **Motion to discuss Resolution No. 323**
Motion By: Legislator Petit
Motion Seconded By: Legislator Wawro

Discussion: See attached transcript.

Motion No.5: **Motion to Amend Resolution No. 323 adding the following changes**

In the 9th WHEREAS:

WHEREAS, on ~~September 16~~ **October 27**, 2020 the Agency transmitted a notice of intent to be lead agency to the Legislature; and

and in the RESOLVED

RESOLVED that the Ulster County Legislature will respond to the Agency's notice of intent to be lead agency for the Ulster County Local Solid Waste Management Plan by ~~opposing~~ **consenting** to the Agency's intent to be lead agency ~~unless the Agency rescinds its negative declaration,~~

Motion By: Legislator Petit
Motion Seconded By: Legislator Wawro

Voting to Amend: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Amendment Approved**

Voting in Favor: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Approved as Amended**

Resolution No. 381 - Declaring Intent To Act As Lead Agency Under SEQRA For Review Of The Zero Waste Implementation Plan

Resolution Summary: Ulster County Legislature will prepare a Full Environmental Assessment Form and circulate a notice of intent to be lead agency pursuant to 6 NYCRR § 617.6(b)(3) to the other involved agencies in the development and approval of a Zero Waste Implementation Plan.

Motion No. 6: **Motion to Approve Resolution No. 381**
Motion By: Legislator Petit
Motion Seconded By: Legislator Wawro

Discussion: See attached transcript.

Voting in Favor: Legislators Petit and Wawro
Voting Against: Legislator Criswell
No. of Votes in Favor: 2
No. of Votes Against: 1
Disposition: **Resolution Failed**

Resolution No. 383 - Setting A Public Hearing On Proposed Local Law No. 14 Of 2020, A Local Law Amending Local Law No. 17 Of 2007, A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County of Ulster, To Be Held On Tuesday, December 8, 2020 At 6:15 PM

Resolution Summary: This resolution will schedule a public hearing on December 8, 2020 at 6:15 to discuss a proposed local law to create the Department of the Environment.

Motion No. 7: **Motion to Approve Resolution No. 383**
Motion By: Legislator Wawro
Motion Seconded By: Legislator Criswell

Discussion: See attached transcript.

Voting in Favor: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Resolution Approved**

Resolution No. 384 - Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Brodhead Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487 – Finance Department

Resolution Summary: This resolution will approve a Payment In lieu of Taxes (PILOT) agreement for the installation of a solar array.

Motion No. 7: **Motion to Approve Resolution No. 384**
Motion By: Legislator Criswell
Motion Seconded By: Legislator Wawro

Discussion: See attached transcript.

Voting in Favor: Legislators Criswell, Petit and Wawro
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: **Resolution Approved**

New Business:

Old Business:

Climate Smart Committee update (see transcript)

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

Motion to Adjourn
Motion Made By: Legislator Wawro
Motion Seconded By: Legislator Criswell
No. of Votes in Favor: 2
No. of Votes Against: 0
Time: 8:04 pm

Respectfully submitted by: Fawn Tantillo & Laurie Lichtenstein
Minutes Approved: October 5, 2020

**Energy & Environment Committee
Meeting Transcripts**

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Chairwoman Greene 18:21

I would like to call the November 2 meeting of the Ulster County Energy Environment Committee to order and ask if the Clerk would kindly call the roll.

Fawn Tantillo 18:38

Yes. Manna Jo Green.

Chairwoman Greene 18:41

Present.

Fawn Tantillo 18:43

Just for the record. We cannot see you, so, you won't be able to vote tonight. But you can enter the discussion. Mary Wawro.

Legislator Wawro 18:53

Here.

Fawn Tantillo 18:55

Al Bruno is not with us tonight. Peter Criswell.

Legislator Criswell 18:59

Here.

Fawn Tantillo 19:00

And Laura Petit. Okay. Oh, there you go. Alright, so she said here. All right.

Chairwoman Greene 19:11

So, you have...

Mary is yes, I see Mary and Peter. You can't see me. I don't know what to do about why my cell phone is acting up. I've tried to enter through Google and through AOL and but it's, it's got some memory problems and so forth.

So, anyway, let's stand for the pledge. Or, you know, given if it works better, you can remain seated. But yeah...

Committee Members 19:49

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.

Chairwoman Greene 20:12

Okay, thank you.

Fawn Tantillo 20:14

David Gordon just joined us.

Chairwoman Greene 20:17

Has everyone had a chance to read the minutes of October 5, and we had a special meeting on October 8. And so, the minutes are basically in the form of a transcript. If so, I will entertain a motion to approve the minutes of October 5 and October 8.

Legislator Criswell 20:49

I make a motion we approve those minutes.

Legislator Petit 20:51

Second. (Raises hand)

Chairwoman Greene 20:53

Motion made by Legislator Criswell, seconded by Legislator Petit. All in favor?

Committee Members 21:00

Aye.

Chairwoman Greene 21:02

Any opposed? The motion carries.

Okay, and I just do want to be sure that everyone, before we go through the resolutions that everyone has had a chance to see the second intention, letter of intention to be lead agency that was received from the RRA (Resource Recovery Agency). And I see people are nodding, because that's relevant to our discussion tonight.

And the first order, item on the agenda, is Resolution Number 242: Approving the Ulster County Local Solid Waste Management Plan. Do I have a motion for discussion?

Legislator Petit 22:07

I'll make a motion.

Legislator Wawro 22:09

Second.

Chairwoman Greene 22:11

Motion by Legislator petite seconded by Legislator Wawro. And what are the committee's thoughts on sending this resolution that we've had for a while on for a vote?

Legislator Criswell 22:31

I personally would love to see this move forward. If we all feel like we're in agreement with... to me the main crux of the problem was the Solid Waste Plan, right? So, do we feel like now we can move forward with this? Those of you who have been working on this, and correct me if I'm wrong, but there was a smaller committee that was working on getting language hammered out. Is that correct?

Legislator Petit 22:58

Yeah, it didn't start yet.

Legislator Criswell 23:01

Hmm. Okay.

Chairwoman Greene 23:01

Okay, well, there's two different, if I may, there's two different issues. One was the issue surrounding SEQRA (State Environmental Quality Review Act). And I think that's more or less resolved. And the other was the concern about the Zero Waste Implementation Plan. And I think that's what Legislator Petit was referring to.

Legislator Criswell 23:25

Legislator Greene, I just made a mistake. Sorry, I meant Zero Waste, not Solid Waste. So, sorry.

Chairwoman Greene 23:30

Okay. All right. Very good. We'll she read your mind (laughter).

So, the... we have, on multiple occasions, extended an invitation to the UCRRA (Ulster County Resource Recovery Agency), really starting a year ago with the Solid Waste Planning Commission. And then in in various correspondence. And several of us have been to the Agency board meetings to ask for a... to create a collaborative process to take the work that was done, primarily by the Recycling Oversight Committee to create a draft plan, Zero Waste Plan, that is. And to make it more implementable. To have very specific, clear responsibilities, timelines, metrics, measurable outcomes, and that has not happened yet. That's what I think Legislator Petit was referring to.

But we have now formed a subcommittee and will continue to invite representatives from the UCRRA to participate. That committee will meet once a week, on Thursday, we're going to start this week, Thursday morning. We will go through the document front to back and see if there are things that need to be changed. Need to be made more specific. Some things may not survive that process. Other things may be added in that are not there yet. But we have just now formed that subcommittee. So, that's where that currently stands.

Legislator Criswell 25:38

Chairwoman Greene, may ask a question?

Chairwoman Greene 25:40

Sure.

Legislator Criswell 25:41

My understanding is that there's a certain timeframe for review of the plan. Can you reiterate what that timeframe is for review? Is it two years in? Or one year in?

Chairwoman Greene 25:54

Once the plan is passed, it is able to be reviewed and amended every two years. It's a 10-year plan.

Legislator Criswell 26:06

So, does the clock start ticking when we actually approve it? Or has the clock started ticking already?

Chairwoman Greene 26:16

No, I believe it starts, and I see attorney Gordon is on is on the call. I believe it starts when the plan has been fully approved. So, that would be when the Legislature votes on the Local Solid Waste Management Plan. And, you know, it's my feeling that that document needs to be complemented by a Zero Waste Implementation plan. But just on the question on the timeline. Attorney Gordon,

David Gordon, Esq. 26:53

I want to understand the question. Are you saying basically two years from what point?

Legislator Criswell 26:58

Correct. That's what I'm asking.

David Gordon, Esq. 27:00

Before the Solid Waste Management Plan would be reauthorized?

Legislator Criswell 27:06

Correct.

David Gordon, Esq. 27:08

Yes, two years from the... my understanding is that it's two years from when the plan goes into effect, which would occur after the Legislature's approval.

Legislator Criswell 27:20

Okay.

David Gordon, Esq. 27:22

But I have another point, Chairwoman, if you want to get to it.

Chairwoman Greene 27:30

Yes, please.

David Gordon, Esq. 27:31

This is the resolution your talking about now is to approve the Solid Waste Management Plan, right?

Chairwoman Greene 27:36

That's correct.

David Gordon, Esq. 27:38

Yeah, we're in the same boat that we've been in for a while, although the RRA has is now moving forward more appropriately with the with the SEQRA process, they're only at the point where they've extended notice of intent to be lead agency. To which we have to respond, or not. And then they become lead agency. There's no declaration of, there's no declaration of significance yet, or a SEQRA determination. They repealed it, which was the appropriate thing to do. So, we're still, at this point, SEQRA-less. So, it's premature to approve the plan.

Chairwoman Greene 28:17

Ah. So...

David Gordon, Esq. 28:19

You need to establish a lead agency.

Chairwoman Greene 28:21

Yes.

David Gordon, Esq. 28:21

And somebody would then, the lead agency does a negative declaration. At that point, we would be free to do our approval. Otherwise, we'd be making the same error that that was made before in terms of giving an approval prior to a SEQRA determination.

Chairwoman Greene 28:36

Legislator Petit.

Legislator Petit 28:38

So, I need to understand this too, because things are getting very confusing. So, if we table this, one more month. Next month, the SEQRA process will be complete, because we did just get something from the RRA that they were declaring themselves lead agency.

David Gordon, Esq. 28:58

Yeah.

Legislator Petit 28:58

Which started the clock ticking.

David Gordon, Esq. 29:01

This is a 30-day period under which all of the Agencies would respond, or not respond, to the RRA. After 30 days, assuming there's no dispute, the RRA becomes lead agency. Anytime thereafter, if they feel that they've done the environmental review that's necessary, they can issue a negative declaration. Once they can determine that there's no significant adverse environmental issues.

If we were to notify them beforehand, before the 30-days, which we can do, then as soon as they get a notification from all of their distributives. At that point, they can declare themselves lead agency, as well. So, if you want to accelerate it, if there was an ability to do that, we could send them a letter as soon as we wanted to. Once they do... if they do a neg dec (negative declaration) once they do the neg dec, then we're free to approve the plan.

Legislator Petit 29:55

Okay, so, I think we should do that. I thought there was a way for the Chair to do that, to sign, to authorize the lead agency. Does it have to go through the legislature?

David Gordon, Esq. 30:08

Yeah, it's an act. Chris may know more than I do. My sort of, one step in front of the other instinct, is that it's an act of the Legislature. And so, we need a resolution. It could be a late resolution, if the Chair wanted to authorize it. In fact, Fawn probably knows better than I do, as well. But at this point, it is what it is. I mean, informally, I think we do that. But the Legislature can't act without a vote of the Legislature.

Chairwoman Greene 30:40

So, that seems to me to be very clearly the next step. Is that we need a resolution, and it could be a late resolution.

Fawn Tantillo 30:56

Manna...

Chairwoman Greene 30:57

That we will not have a chance to meet again.

Legislator Petit 31:03

Could we make a motion? Would that be good enough to, you know, then make it into a resolution?

David Gordon, Esq. 31:09

To do a late resolution? Yeah, I guess so.

Fawn Tantillo 31:13

No. You have a resolution in front of you, Resolution 323 opposing the agency's lead agency...

Legislator Petit 31:24

We're going to vote no on that.

Fawn Tantillo 31:27

Or, you could amend it.

David Gordon, Esq. 31:30

Yeah.

Legislator Petit 31:31

Oh.

Fawn Tantillo 31:31

Approve them being lead agency.

Legislator Petit 31:33

Okay.

Chairwoman Greene 31:34

And essentially go back to what it originally said before we had the problem with a premature neg dec.

Legislator Criswell 31:47

Exactly.

Chairwoman Greene 31:49

So, because we had that resolution, and we modified it because we had concerns about the fact that the negative declaration preceded the acceptance of the intention, the Agency's intention to be lead agency. So, if we can consider Resolution Number 331, is that correct?

Fawn Tantillo 32:29

323.

Legislator Petit 32:33

323.

Chairwoman Greene 32:34

Yes, if we could consider amending resolution 323, then the Legislature could act on that. And that would start the process of the Agency assuming lead agency status, if that were approved by the full Legislature. Then they would ask for... if they're going to use a... what's the process called when everybody participates?

David Gordon, Esq. 33:22

Well, it's called coordinated review and that's...

Chairwoman Greene 33:24

Coordinated review.

David Gordon, Esq. 33:26

That's what a... that's what the lead agency, that's what the lead agency determination does. That establishes a coordinated review. It just means that once we sign on to them, if we were to do that, then the RRA would be our agent, they would be making the decision, and we would be subject to that decision. That's what coordinated review is. It doesn't necessarily mean that they consult with us. They may or may not. That's up to them and us. But the coordinated review means once we accept them as lead agency, they make the SEQRA decisions.

Chairwoman Greene 34:03

And then at what point could we, if we're following SEQRA, and the process that's prescribed, at what point could the Legislature appropriately act on the Local Solid Waste Management Plan? Would that be December?

David Gordon, Esq. 34:21

Assuming the RRA neg decs it, it's after the neg dec. We must have a SEQRA determination.

Chairwoman Greene 34:28

Yeah.

David Gordon, Esq. 34:28

Just for future reference. A SEQRA determination either means a neg dec or an environmental impact statement, and then a finding statement. A neg dec and a finding statement are the two possible endpoints of a SEQRA process. So, we got to have one or the other. Then after that the agencies connect.

Chairwoman Greene 34:48

Legislator Petit.

Legislator Petit 34:50

Thank you. So, could we table the Solid Waste Management Plan. And then we'll open up the SEQRA resolution for, just discussion, and we can change it so that we can put the Agency as lead agency?

Chairwoman Greene 35:06

Yes, I think I'd like to maybe take it out of order to give Attorney Gordon and or Fawn a chance to make those changes, basically, back to how it was. And that might take a few minutes. We could at least discuss the rest of the agenda and then come back to that. Does that make sense? Or, you think we can do it right on the spot?

Well, let's start with the motion to table.

Fawn Tantillo 35:54

Yes, change the one word, really?

Chairwoman Greene 35:58

Well, okay.

David Gordon, Esq. 35:59

Fawn, is there recital and that resolution that says basically when the RRA declared lead agency? Because that's going to change. When did the RRA decide?

Fawn Tantillo 36:08

Yeah. On September 16 the agency transmitted the notice of intent to be lead agency.

David Gordon, Esq. 36:13

So, we need to change that to today.

Timothy DeGraff 36:14

I have it in front of me. October 27.

Fawn Tantillo 36:14

October? I don't know. Do you remember, Tim? You just... we got it... but I think it was dated October 22.

David Gordon, Esq. 36:21

October 27.

Legislator Petit 36:27

Awesome. Thank you, Tim.

Timothy DeGraff 36:28

I signed it last week.

Fawn Tantillo 36:29

Yes..

David Gordon, Esq. 36:30

It's 27.

Fawn Tantillo 36:31

October 27. So, we may want to remove the following whereas that said it's not consistent with SEQRA to circulate a notice of intent to be lead agency after issuing a neg dec.

Chairwoman Greene 36:47

Right.

Fawn Tantillo 36:48

Or you could leave that in there. But...

David Gordon, Esq. 36:50

No. No.

Legislator Criswell 36:51

It's superfluous, right?

Fawn Tantillo 36:53

Yeah. The next whereas, the agency retains authority and discretion to move forward with reviewing feasibility and priority of municipal solid waste technologies. And in particular, to retain consulting firm to evaluate feasibility of permitting and constructing a local landfill or other technologies within Ulster County during the Legislature's consideration of the Local Solid Waste Management Plan, including an appropriate and compliant SEQRA review. Now, therefore, be it resolved that the Ulster County Legislature will respond to the Agency's notice of intent to be lead agency for the Ulster County Local Solid Waste Management Plan by approved by... would you say "approving" agencies intend to be lead agency?

David Gordon, Esq. 37:43

Consenting.

Fawn Tantillo 37:44

Consenting?

David Gordon, Esq. 37:47

"Consenting to..." Yeah.

Fawn Tantillo 37:53

The Agency's intent to be lead agency, unless the Agency rescinds its negative dec, so we could just remove that?

Chairwoman Greene 38:01

That's correct.

Fawn Tantillo 38:04

Because they have rescinded it?

David Gordon, Esq. 38:05

Yes.

Chairwoman Greene 38:10

Okay, so, before we make those changes, let's put... let's table Resolution Number 242. And, and then we'll make the changes in Resolution Number 323.

Fawn Tantillo 38:28

So, are you postponing... we don't table things, can you... are you postponing it or taking no action? It's the same either way, I guess.

Chairwoman Greene 38:37

Postponing.

Fawn Tantillo 38:38

So, do we have a motion to postpone?

Legislator Criswell 38:41

I'll make that motion to postpone.

Fawn Tantillo 38:46

Postponing to 242...

Legislator Criswell 38:49

242 until we receive a...

Fawn Tantillo 38:54

Well, you got to postpone it till... you have to look at it next month.

Legislator Criswell 38:57

Okay.

Fawn Tantillo 38:57

You can only postpone for a month.

Legislator Criswell 38:58

There we go. So, postpone it till next month.

Chairwoman Greene 39:00

Good.

Fawn Tantillo 39:01

And do we have a second?

Legislator Wawro 39:05

Laura seconded it.

Legislator Petit 39:06

I seconded it.

Fawn Tantillo 39:09

Okay, so we're going to postpone...

Chairwoman Greene 39:10

All in favor?

Committee Members 39:13

Aye.

Chairwoman Greene 39:14

Postponing, okay. Anyone opposed? Motion carries.

Fawn Tantillo 39:19

Okay.

Chairwoman Greene 39:21

And now for Resolution Number 323: Responding to the Ulster County Resource Recovery Agency Notice of Intent to Act as Lead Agency Under SEQRA for the Review of the Draft Ulster County Local Solid Waste Management Plan.

Chairwoman Greene 39:44

Is there a motion to amend?

Legislator Petit 39:51

I'll make a motion to amend.

Chairwoman Greene 39:54

Okay.

Legislator Wawro 39:54

I'll second.

Chairwoman Greene 39:55

And Mary, Legislator Wawro, seconded it. Do you want to, without reading the language we're taking out, just say, you know, just review the changes. So, we're clear on what we're voting on. If you don't mind.

Fawn Tantillo 40:15

The third to the last whereas you say that on "October 27" instead of "September 16." And in the resolves, we are changing the word "opposing" to "consented to." And removing the words, "unless the agency rescinds, its negative declaration."

Chairwoman Greene 40:39

Okay.

Fawn Tantillo 40:40

We probably have to change the title also, to reflect those changes. Actually. Actually, you don't?

Chairwoman Greene 40:54

Yeah, that's right.

Fawn Tantillo 40:56

The title is okay. Okay, so this would be the only changes. The only amendment.

Chairwoman Greene 41:04

Okay.

Legislator Criswell 41:05

Motion to approve, as amended.

Fawn Tantillo 41:07

Well, first you need to do the amendment.

Chairwoman Greene 41:09

Yeah. Okay. All in favor of the amendment, please signify by raising your hand and saying aye.

Committee Members 41:16

Aye.

Chairwoman Greene 41:16

Anyone opposed?

Chairwoman Greene 41:19

All right, as amended. Resolution Number 323. I heard a motion from Legislator Criswell to approve. Do we have a second?

Legislator Wawro 41:30

Second.

Chairwoman Greene 41:33

Okay. Legislator Wawro.

Chairwoman Greene 41:36

Okay. All in favor of Resolution Number 323: regarding the Agency's intent to become lead agency on the Local Solid Waste Plan, as amended. All in favor?

Committee Members 41:54

Aye.

Chairwoman Greene 41:56

Anyone opposed? Okay, the motion carries. Yes, go ahead.

Legislator Criswell 42:10

I don't want to derail your thoughts. Did you... Were you on a train? Did you want to keep going?

Chairwoman Greene 42:18

I was just going to say that we should withdraw, the sponsor should withdraw the next resolution, that was for the Legislature, right? Resolution Number 381?

Fawn Tantillo 42:35

That's for the Zero Waste Implementation.

Chairwoman Greene 42:37

Oh, that's... I'm so sorry. It's so small on my computer. All right. So, now... Go ahead.

Legislator Criswell 42:44

... to say, thank you. So, I just wanted to get clear on the end goal here. The end goal is for the legislature to approve this plan, right? And the sticking point that we're having is that there is not an appropriate Zero Waste Plan that we've seen. But the remedy that we're doing is there's a small committee formed. It's a working group that is, hopefully, going to move this forward. So, I guess what I'm, what I'm getting at is, are we going to keep kicking the ball down the field until this committee meets several times makes it makes recommendations, they get a document that gets approved? Or are we going to say we trust that the process is happening, and that we are going to feel good about the outcome of that committee's work enough to actually approve the plan? I'm not saying that's what we should do. I'm just saying that's an option.

Chairwoman Greene 43:39

You're asking.

Legislator Criswell 43:40

I'm asking.

Chairwoman Greene 43:40

Yeah. Legislator Petit.

Legislator Petit 43:43

If I could put in my two or three cents. Honestly, my intent was to have the Solid Waste Management Plan and a Zero Waste Plan as a standalone document, approved at the same time, so that we could start, you know, putting it actually into Ulster County and facilitating the programs. That was back in July.

So, quite honestly, I think once the RRA gets through their SEQRA process, I'm ready to vote on it. I'm not going to keep them waiting any longer. And hopefully we'll get the Zero Waste Action Plan in near to, or close to, the same time. But, it originally, that's how it was supposed to work. But it's again, that was you know, July. So...

Legislator Criswell 44:36

I'm really glad to hear you say that Legislator Petit because I just feel like, I'm hoping not speaking out of turn here, but I feel like we have to sort of rebuild a little bit of this relationship, which seems to have gone a little awry. And I think if we can trust that these meetings are going to be productive and that we're all going to come to the same place. I personally feel like I want to move this along so that we can act in a unified accord with this Agency?

Chairwoman Greene 45:08

Legislator Wawro. I have an opinion. But I wanted to give you a chance if you wanted to weigh in.

Legislator Wawro 45:16

No, I agree with that what's being said.

Chairwoman Greene 45:19

Okay, thank you. I have a slightly different take. And that is because the Agency has been invited to be part of a collaborative process to develop a Zero Waste Implementation Plan. And I have made that request in many different ways. And we now have a subcommittee, informal, this is, not, you know, appointed. It's just a group of people that are willing to work together to bring the Zero Waste Plan to a point that we think there will be widespread agreement and that it will be able to be implemented in the Local Solid Waste Plan.

There's a whole section on implementation, and it says when they're going to issue an RFP for a feasibility study for landfill siting, and every single thing they're planning to do for the next 10 years is documented in that implementation. There isn't a parallel implementation plan yet for waste diversion. And that is the primary goal of this group that is working on it, which does include Evelyn, let me just, I don't want to speak for you. But I did speak with Amanda, she was going to check with you that the Executive branch would participate in that process.

Deputy Executive Wright 47:04

She and I have a comp plan for tomorrow, and I'll talk with her about it then.

Chairwoman Greene 47:09

Okay, I don't want to... but her... she... let me say that she felt that this action was the right way to go. That we did need to, and this is no criticism of the work that's already been done, but we did need to enhance or improve on the Zero Waste Plan. And also, there are several other people that have a great deal of knowledge to be able to, bring to this process that are committed to putting their time once a week to, and hopefully that won't take too long, to bring this to the point that we could bring it back to the committee and move it forward.

I would completely agree with what has just been said. I'm tired of waiting and the somewhat difficult process we've had to go through to be sure that we met SEQRA. But my feeling is that asking the Agency to cooperate on a document that they will have probably major responsibility for implementing, not singular responsibility, and that's one of the things we want to figure out, is how other county resources could be brought to ensuring various forms of waste diversion.

And they formed a Zero Waste Committee. But they have not yet said they wouldn't be willing to participate in this process. From my perspective, the only remaining leverage, and I don't like using leverage, I don't want to force people to do something they don't want to do, but this request has been for their benefit. And so, I have, let me say, mixed feelings at best. Ironically, I can't vote tonight because I can't solve the technology problem.

But I did want you to understand how I'm thinking. And maybe ask Tim DeGraff, and Tim if you're not prepared to answer, there's no pressure, but if you'll recall at the last meeting, I did ask if you and or Angie, and one person from the Zero Waste Committee, I think have spoken with Joanne Myers, she if we can meet at a time that works with her teaching schedule. She might be willing. But at least one person, if not a staff person and a board member, to participate in the process to revise the Draft Zero Waste Implementation Plan that's before us.

Timothy DeGraff 50:21

Yeah, Where I stand on this is where I stood last month. And I stated this before, the agency is in complete agreement with the concept of Zero Waste. I've stated, personally, there are there were individuals, on certain committees, that I am not going to work with for personal and ethical reasons. I never heard any response to that. I keep hearing the same thing that we have to work and collaborative with those committees.

I'm not sure. If the Agency has the same desire to do the same approach that has been put forward. We're willing to work on something. But as I've said, also, before, I'd much rather work in a smaller group or a one-to-one. I don't want to work with certain individuals that I shouldn't be working with or the Agency shouldn't be working with.

We've already diverted 3,600 tons, which is biosolids, which isn't already in the plan. So, we've already implemented that, because we're going to be sending our sludge down to the Rockland County compost facility. So, we've already started diverting solid waste. So, we're already doing things. We can't wait around.

As far as the Solid Waste Management Plan itself, I love the fact that they've implemented this new rule, for lack of a better term, on with the biennial responses. I guess you could call them or the biennial reporting. As you guys have brought up earlier, I don't know what the exact... when exactly, we have to respond. I know, if this had started January 1, it would be due two years from now. I believe, I think it's April 1, or May 1, that 2022 it would have been. So, I don't know how the DEC... I would like to have it in writing, as far as the DEC with regard to when our actual biennial reporting date would be. The first one after a Solid Waste Management Plan is finally approved.

But within that, we do have the ability to make changes to shape the Solid Waste Management Plan. If you guys are going to do something with Zero Waste, I don't want to see it rushed. I want to see it done, you know, I'd rather have, you know, a high-quality document over getting something done in what feels like a timely fashion.

So, I think we need to realize there's... maybe there's been some miscommunication. I don't know what went on before July, I was not a part of the Solid Waste Management Planning, creating that document. Angie was not a part of that creating that document. Charlie was not a part of creating that document. So, we're coming on the back end with that document.

So, there's a lot more to this than just than just what's on the surface. We're willing to work on and accomplish the same goals [inaudible] we're trying to accomplish. And I think that's the most important thing to focus on. Especially if we want to move forward.

Chairwoman Greene 53:32

Any other discussion?

Legislator Criswell 53:35

Legislator Greene, I just want to say I really understand your argument. I understand the logic to it. So, thank you for saying that.

Chairwoman Greene 53:44

You're very welcome. You know, Fawn, I realized I have been voting voice vote, and that I shouldn't be because I'm not able to get on by camera, by video. So I will...

Fawn Tantillo 54:02

Like to know of your support. We're just not counting the vote. I have the vote counts correct.

Chairwoman Greene 54:08

Correct. Okay, excellent.

Legislator Criswell 54:10

I'm going to ask one more question. Sorry. If we decided to kick this down, down the aisle a little further down to next month, after we get the neg dec for SEQRA and all that in place. Would that be appropriate? To just wait a month on this actual vote?

Chairwoman Greene 54:33

I had... I'm just checking to be sure we're talking about the same thing.

Legislator Criswell 54:41

Your approval of the Solid Waste Management Plan.

Fawn Tantillo 54:44

No. Right now we're talking about 381, declaring ourselves lead agency, nobody moved to for discussion, but I think you're talking about Resolution 381, declaring lead agent intent, to act as lead agency on SEQRA for the Zero Waste Implementation Plan that's attached.

Legislator Petit 55:03

Yeah. Can we move that? Because I have some real concerns about process on this.

Legislator Wawro 55:09

I'll move it.

Fawn Tantillo 55:11

For discussion?

Legislator Petit 55:13

Discussion. To David, Apparently, because so many changes were made, and I don't think there were a lot, I think most of them were editing, made on the Zero Waste Action Plan. Going back to emails, the Clerk's Office had suggested we pull the original Zero Waste Action Plan. When I looked at the agenda tonight, I was surprised that Zero Waste Action Plan wasn't on there, there's just a SEQRA. So, what is happening to this process now that one resolution has been pulled? Now there's a SEQRA process, even though the new plan is attached to it? What happened to the plan? And do we really have to start all over again? Because, honestly, as the sponsor, to start pushing and get the time clock moving on this too?

David Gordon, Esq. 56:12

Laura, I'm not sure about the two different plans. What I can tell you is that for the same reasons I mentioned before, we will have to go through a SEQRA resolution, before we can adopt the plan. Basically, again, you can take our action, in this case will be the adoption of the Zero Waste Implementation Plan, until we finished our SEQRA review, which when finished will either be a negative declaration, or a positive declaration, environmental impact statement, and then a finding statement, which I assume will probably not happen. So, we're looking at, so to speak in the colloquial, we're looking at taking a hard look and doing

a negative declaration. And then when we do that negative declaration, we will have fully understood where all the potential adverse environmental impacts are, and then we can approve it.

So, for that reason, the first resolution you need to deal with is to be get the SEQRA review moving. And the way to do that is to declare lead agency.

Legislator Petit 57:15

Okay.

David Gordon, Esq. 57:16

So, it just, that's just SEQRA. I will mention that could make the argument that this is exempt from SEQRA, because, you know, if you want, if we want to view the current draft as being essentially, so premature, that it couldn't possibly have any particular environmental impact. And that's what I said originally. But given everything that's happened, I don't think that would be... I wouldn't necessarily recommend that as a way to go just because we would open ourselves up to a lot of criticism by doing that.

Legislator Petit 57:52

Mm hmm. I agree.

David Gordon, Esq. 57:52

Something to that the county [inaudible] might want to do. But if you declare the Type 2, because it's just a very preliminary plan, then we could move forward much more quickly. But I thought that it would be more appropriate to move forward with a lead agency determination and just go through a declaration of significance.

Chairwoman Greene 58:15

Given that it may take several months to go through the process, even meeting weekly or every other week. Is it more appropriate to have a revised document and then do intent to take lead agency status at that time?

David Gordon, Esq. 58:41

I would say let's use the document you want to move.

Chairwoman Greene 58:48

Yeah, we don't have that yet.

Legislator Petit 58:51

Well, it's attached to this document. So. And I would like to get the clock to start ticking on this. It's been hanging out there in limbo for quite a while now. And I've been agreeing to postponing it. But as a, as a sponsor of the previous resolution, and of this one, I would not agree to it being postponed.

Legislator Criswell 59:14

May I ask a question about this? And I'm sorry, if I seem naive about this, I just it there's a lot of moving pieces in these conversations. So, this plan, this implementation plan that I'm looking at right now, this multiple page, 50-page document or something, right? Is this something that is going to ride alongside of the Solid Waste Plan that is already been approved by the DEC, right, that's in the works for us to approve, is that it's a separate document. So, how do those two documents relate to each other? Does that make sense?

Chairwoman Greene 59:51

Well, let's, let me take a crack at this and then others can respond. The original intention, and this is back, actually pre-COVID. But certainly during that period and over the summer, and was to meet, review the document that had been presented, hold that collaborative process, and come up with a document that the Agency and the Legislature and the Executive Branch... and well, those would be the involved agencies... in time to have it complete by the end of this year and pass them both. The intention...

My thinking is that there's still a very serious gap in the Local Solid Waste Management Plan. So, it would be... my hope was that it would be a parallel document. But instead of doing that work, we've essentially been discussing it, and, you know, also discussing the SEQRA process. And I expect that it's going to take several months into the new year, before we have a version, that at least the Legislature and the Executive Branch can support. And hopefully, the RRA would support as well.

There's no legal requirement. It could be added as an amendment in 2023, I guess, if we pass the solid waste plan in 2021, goes into effect in 2021, then two years later would be 2023. However, my hope, is that we pass it sooner, and start implementing it. I do not want to wait two years to implement some of the excellent recommendations that are in the plan. I just want them to become more finite...

Legislator Criswell 1:02:27

Just for clarification, you said "we" start influencing who is the "we" in that?

Chairwoman Greene 1:02:33

Who is the "we" that what?

Legislator Criswell 1:02:34

That what would implement that?

Chairwoman Greene 1:02:38

That's what has to be defined. Some of it would be implemented by the Agency. Some of those things might include the County Economic Development, or IDA. We've had meetings with Cornell Cooperative Extension has some ideas, and certainly the Department of Environment. And there are other ways that a really comprehensive Zero Waste Implementation Plan would get implemented.

But right now, the plan references a lot of waste diversion measures, and says things like we will promote, or we will encourage. So, a little bit different than we will do. So, I think that's what we're going to be looking

for is what is doable. Some of the things may remain aspirational, but much more of it will be implementable after we put some work into it.

Legislator Criswell 1:03:55

So, I'm sorry, I'm going to dig into this. But...

Legislator Petit 1:03:59

Sure.

Legislator Criswell 1:03:59

... are there pieces of the Ulster County Zero Waste Implementation Plan that are currently in the Solid Waste Management Plan.

Legislator Petit 1:04:08

Yes.

Chairwoman Greene 1:04:09

Yes.

Legislator Criswell 1:04:10

And is there enough overlap, that you all would feel comfortable moving forward the Solid Waste Management Plan, to allow that to start moving forward? You know, under the Legislature's approval, and then continue to work on the pieces of the Zero Waste Plan that are not duplicated in the Solid Waste Management Plan? So, does that all make sense?

Chairwoman Greene 1:04:37

Yeah.

Legislator Criswell 1:04:40

I don't know what the overlap is. I haven't read it that deeply, I don't understand all the pieces of it.

Legislator Petit 1:04:46

The overlap is essentially in countywide education and in handling of specific materials that really no other entity would be able to handle such as biosolids. That's a 30,000 ton of year component of our waste stream. Which the RRA just went out to bid for. It's now, is it January 1? Will no longer be shipped out to a landfill in the Buffalo area; it will be sent down to Rockland County for composting. So, that waste has not been diverted.

Fawn Tantillo 1:05:21

The plan also includes a like a Resource Recovery Park the RRA is talking about, like creating, [inaudible] household hazardous waste. Those things were in the plan to explore those things. And that would be part of the Zero Waste Park.

Legislator Petit 1:05:46

It would be nice; they have the property. But...

Legislator Criswell 1:05:49

I guess Legislator Greene, what I'm trying to get at is what's the piece of the puzzle that's the hold back for you? I guess I'm just not understanding, specifically, what it is that that you're holding out for. I mean, I have respect it. I understand. I just don't know what that specifically, that specific thing is.

Chairwoman Greene 1:06:09

The two things that I tried to communicate our that it be a collaborative process. So, that it's not the Legislature telling the Agency, by legislation, what it has to do. And the other is, you know, the level of detail to make it actually something that will get implemented.

But to answer your question, I agree that there is urgency for the Local Solid Waste Management Plan. Now, they can go ahead and do a lot of the things they said. They can, as I said earlier, develop an RFP for landfill siting. Which is the most urgent priorities to be in a situation where we're not paying to ship our ways to Seneca Meadows, which could close in five years, less than that now. And then be really, potentially really stuck. So, the sooner we start that process, the better. And then a lot of the other technologies are already scheduled in the plan, they will be discussed further before they're actually acted upon. But that was the primary action.

And again, they can take that action, with or without, having the plan approved. But I certainly understand that they would be more comfortable with the plan. I think we just need to do the best we can with revising the Zero Waste Implementation Plan, and then hope to get an actual resolutions of support from the Agency, if not active participation sooner.

And I want to remind everyone that the Recycling Oversight Committee was created by law. And its members, who are appointed by an actual approval process of the Legislature. And to my knowledge, no one has acted in a way that was unethical or, you know, we may not agree with everyone's ideas, and that will come out in this impending process. But I... all right, so those are my two things, collaboration and coming up with a comprehensive plan that is actually implementable.

Legislator Criswell 1:09:07

I have an out of the box thought and I don't know if it will work or not. But so, we're talking about clock starts ticking when we approve the Solid Waste Management Plan. It's two years until we can then amend that plan. Is there a way that we can turn that back to a year, rather than two years, and in that year, then

work on the Zero Waste Plan? And then hopefully, with an amendment, get those two more in line? Is that something that's possible?

Chairwoman Greene 1:09:42

In terms of SEQRA? I'm assuming that the Legislature will remain the lead agency, if we approve and nobody challenges, and that we are the lead agency in in that. And that your idea is by the end of 2021, instead of 2020, that that plan would be complete and be able to start being implemented in 2022.

Legislator Criswell 1:10:26

Correct.

Chairwoman Greene 1:10:27

But in terms of the technical question that you're asking, I see that Attorney Gordon is here, and maybe he can give a better SEQRA answer than I did. Yeah, it's a process answer.

David Gordon, Esq. 1:10:50

I don't want... I think it would be unfortunate for people to get too worked up over the SEQRA technicalities as we move forward.

First of all, the Agency, if the Agency believes that that's appropriate to combine the SEQRA reviews, they can make that point. The fact that we declare lead agency, we send out a letter, doesn't necessarily mean that we're lead agency. In the same vein that what we're doing tonight; they have the opportunity to respond to us. And they may say, we're already doing this, you know. So, we don't know how that's going to turn out, we're just getting the ball rolling, as Legislator Petit mentioned, and seeing where it comes out.

If we were to become a lead agency on the on the Zero Waste Plan, my expectation, again, it doesn't have to turn out this way. My expectation would be that that would only be for one iteration. It would be for now, to get this ball, to get the ball moving. Ultimately, and I did completely defer to the Chairwoman on this, haven't spoken to her about this, but I think in two years, or one year, or whatever the plans are going to are going to be, are going to come together.

Ultimately, the Zero Waste Implementation Plan is how do we reduce our waste stream so that as part of our overall management. I mean, there's not an enormous conceptual difference, they just happen to be starting at different points in time, perhaps with different Agencies, and focusing on different things. We're going to... the Zero Waste plants going to look at sort of micro ways to divert waste in terms of you know, recycling, reuse, that sort of thing.

Whereas the Solid Waste Plan is going to look at, as the Chairwoman mentioned, you know, landfills and stuff like that. But ultimately, one's going to become a part of the other. So, in two years, my guess is that the processes are going to be conjoined, and probably sooner. And I wouldn't, nobody's going to come rushing back and saying, you know, we did this neg dec two years ago. And, you...

Chairwoman Greene 1:12:51

No. I, you know, I sort of sidetracked the question by bringing up SEQRA. Because that's, you know, still in front of us.

But Legislator Criswell was asking is there a way to have this document, be approved by all parties and go into... by the end of, you know, in a year, and not wait two years to amend the document. But can be approved by the Legislature and approved by the UCRRA, and go into effect, without amending the Local Solid Waste Plan? Is that what you're asking?

Legislator Criswell 1:13:37

Yeah. What I was asking is who made the rule that says it's a two-year process that we go through to then amend? And can we just change that rule to say one year? If that's what our concern is, is that that we want to make sure that this Ulster County Zero Waste plan is somehow incorporated into the Solid Waste Management Plan, can we change the two years back to one year?

David Gordon, Esq. 1:14:02

I'm sorry, I misunderstood. I think the two-year rule is the DEC's rule.

Chairwoman Greene 1:14:09

Yeah.

David Gordon, Esq. 1:14:10

I think that's actually, I think their concept is that [inaudible], Tim may know better, but I think that their concept was that that would be a minimum, they want the thing look that over time. If you want to look at it more frequently, you probably could. I don't know if DEC would go through an approval process at that point. I don't know if the Agency wants to. But I think again, I think as a practical matter, if the Agency were to agree with us, after a year that all this works, and you want to try to merge them sooner, my guess is you could end up doing all the planning, prior to approval. But frankly, I need to look into that a little bit more deeply.

I wouldn't worry about it too much because I don't think anybody's going to really stop you from moving forward on a productive course of reducing waste because of a technicality like that. But we can figure out exactly how to get it done. And Tim or Fawn may have a better sense.

Fawn Tantillo 1:15:02

I agree with everything Dave just said. If I could just respectfully throw my two cents in here. A lot of the things that Laura has in the Zero Waste Plan are going to require consumers, the average household, to kind of rethink what we're doing. So, there's a lot of educational things that the RRA does education, Cornell does education, a lot of people do. Things like the, you know, changing the way... we've already done things to divert waste: the Styrofoam Law, the Plastic Bag Law, the Composting Law. Those were all laws that the

Legislature passed independent of what the RRA is doing. And impacted what the RRA does. But, I can see in this Zero Waste Plan, there may be steps that we will take legislatively instead of encouraging people to do things, to say we're going to pass a law that says you have to do this.

Additionally, the state's been passing laws, for example, the paint recovery laws, the state has a process, they want to get to zero waste 85% by what's... I don't remember the year, Laura, is it 2028 or something? They have a plan. So, all of those things, I think come together in the Zero Waste Plan. I think that's what it looks like to me as I read through it. So, it's not... There are going to be things the RRA will do, because it's in their best interest to do it. And they're doing a lot of that already, diverting the biosolids and stuff.

We would love to see them have household hazardous waste a year-round. We would love that somewhere. That may take us helping them build that. But, so, there may be things that come along. But I think they're Solid Waste Management plan... I think everybody would feel better about it if they were cooperating with the Zero Waste Implementation Plan along the way. Because we don't want to tell them, you have to do X, Y, and Z. They actually want to get to Zero Waste themselves. Especially, if they decide to build a landfill. If we decide to build a landfill, we don't put anything in it. That's going to be their goal as much as the Legislature's.

So, I think Laura's vision is bigger than the RRA plan. I think it's much more comprehensive than what the RRA is doing in their plan. This is a separate piece that maybe will help guide the Legislature in passing legislation and in changing consumers habits, like plastic bags, and not taking Styrofoam containers, and some simple things.

Legislator Criswell 1:17:47

Thank you so much for that perspective. No, that was really helpful. Thank you.

Chairwoman Greene 1:17:54

All right. So, now we're... just to get back to the agenda and see if we can take action. Time is moving on. And people are being very patient. How do we want to proceed with Resolution Number 381: declaring intent to act as lead agency under SEQRA for review of the Zero Waste Implementation Plan?

Is there... Dave, do you have a recommendation? I know we didn't speak ahead of time. And that's just as well. But you know, given everything you've heard, because this is the SEQRA question, should we table this, or should we act on it? Not table. What would be the other things we can do? Postpone or not act.

David Gordon, Esq. 1:18:57

If you want to move forward. If you want to move forward with adopting Zero Waste Implementation Plan, in its current form, I would certainly recommend moving forward with the SEQRA resolution. That's the first step. If you want to continue to work on zero... if you want to continue to, you know, to refine the Zero Waste Plan before doing anything, then we should table the resolution, just set it aside and continue to work.

Legislator Petit, a couple of minutes ago, said very clearly, she wanted to move forward with the plan. And therefore, the necessary step to do that is to move forward is to look at... is to move forward with the SEQRA first. And then, when you do that, you can adopt the plan. It really depends whether you want to adopt the plan as soon as possible, or whether you want to continue to work on it. And if you want to adopt the plan as soon as possible, my strong recommendation to move forward with the SEQRA review.

Chairwoman Greene 1:19:55

Well, I think it needs a lot of work. And I guess my question is if we if we act on this plan and come back with a rigorously revised document, you know, would it be better to wait until that document is crafted?

Legislator Petit 1:20:17

I mean, I'm not willing to wait any longer. In fact, I'd like to see the Zero Waste Implementation Plan back on the agenda so that we can start pushing the 90-day deadline. I don't really want to see it passed. We've been discussing this since November of last year, and I don't want it to go on for years, I don't have that kind of stamina. So...

Legislator Criswell 1:20:41

And I'm going to say, please don't take this as catty. But I'm a little concerned with the plan that the actual title is misspelled on the...

Fawn Tantillo 1:20:49

Oh, that would be my fault.

Legislator Criswell 1:20:51

Right. So, we just want to make sure that it's all you know, correct. So.

Fawn Tantillo 1:20:57

Well, that's an easy fix.

Legislator Criswell 1:20:59

Okay. Sorry, Fawn.

Chairwoman Greene 1:21:04

Well, I, I don't like disagreeing with Legislator Petit because I know how much work she's put into it. But I absolutely do not think that it's ready for primetime.

Legislator Petit 1:21:25

I'll leave that up to you. But as response to this resolution, I am not willing to postpone. And I'm not happy that the implementation schedule is not on the agenda tonight at all.

Chairwoman Greene 1:21:42

What implementation schedule?

Legislator Petit 1:21:45

That, well, the implementation, the Zero Waste Implementation Plan has been on the agenda since August. And I've been allowing it to be postponed as a sponsor. And this month, I was going to dig in and say now I'm going to object to it being postponed. So we could start the 90-day countdown, and it wasn't on the agenda at all. Just the SEQRA resolution is.

Chairwoman Greene 1:22:11

I don't understand what the 90-day countdown is.

Legislator Petit 1:22:15

Well, if I disagree with it being postponed, you can do that for three months, and then some action has to be taken or it goes to the Legislature as a whole.

Chairwoman Greene 1:22:26

I see. Okay. Well, three months from now, we might be able to have a document that could be implemented. We'll see. All right, I think we need to call the question and let those who can vote, vote. And we're not making any changes or amendments to Resolution Number 381. So, first of all, do we have a motion and a second? I think that was just pretty much for purposes of discussion. But do I need another motion to adopt?

Fawn Tantillo 1:23:12

Yes, or to... Yes, you would need a motion to...

Chairwoman Greene 1:23:15

To adopt or postpone

Fawn Tantillo 1:23:17

... Or a motion to postpone it, whatever you want to

Legislator Wawro 1:23:21

I'll make a...

Fawn Tantillo 1:23:22

Laura wants to...

Chairwoman Greene 1:23:25

Say again, please.

Legislator Wawro 1:23:27

I'll make a motion to adopt.

Chairwoman Greene 1:23:29

Okay, is there a second?

Legislator Petit 1:23:32

I'll second.

Chairwoman Greene 1:23:34

Okay, all in favor of the motion to adopt Resolution Number 38, declaring intent to act as lead agency under SEQRA for review of the Zero Waste Implementation Plan. All in favor?

Committee Members 1:23:53

Aye (Petit, Wawro)

Chairwoman Greene 1:23:53

All opposed?

Legislator Criswell 1:23:54

Aye.

Fawn Tantillo 1:23:56

That fails, two to one.

Chairwoman Greene 1:24:01

It fails because it doesn't have a full quorum, is that why? It needs three votes.

Fawn Tantillo 1:24:06

No, it fails because it would need three votes to pass.

Chairwoman Greene 1:24:09

Three. Okay. So, it fails for now.

Legislator Petit 1:24:11

Is it possible to get a motion to discharge on this, Dave?

David Gordon, Esq. 1:24:19

Can you do one?

Fawn Tantillo 1:24:21

Yes. It was just defeated.

David Gordon, Esq. 1:24:28

Yes, I think. I can double check.

Legislator Petit 1:24:32

All right, thank you.

Chairwoman Greene 1:24:36

All right. Resolution Number 383: Setting A Public Hearing On Proposed Local Law No. 14, Amending Local Law No. 17 Of 2007, A Local Law To Create The Department Of The Environment And The Office Of Coordinator Of The Department Of The Environment For The County of Ulster, To Be Held On Tuesday, December 8.

Chairwoman Greene 1:25:06

Do I hear a motion?

Mary Wawro 1:25:09

Move it.

Chairwoman Greene 1:25:12

A second?

Legislator Criswell 1:25:13

Yep. Second.

Chairwoman Greene 1:25:15

All in favor of creating the Department of the Environment and the Office of Coordinator of the Department of Environment. All in favor?

Legislator Criswell 1:25:27

Can I ask Evelyn to speak on this for a minute? Because I don't know anything about it...

Chairwoman Greene 1:25:31

Sure.

Legislator Criswell 1:25:32

Actually, I'd like to better understand her reasoning for this.

Chairwoman Greene 1:25:36

So, that's a great idea. Thank you. She patiently stuck with us.

Deputy Executive Wright 1:25:42

So, this is was going to be a resolution to change the titles of the Coordinator and Deputy Coordinator of the Department of Environment to be Director, like other departments. But because those titles were created in the local law that created the department, that local law actually has to be revised.

Legislator Criswell 1:26:06

Okay. All right.

Deputy Executive Wright 1:26:07

Well, what you'll see in the in the marked-up version of the local law is just cross out coordinator and right director everywhere.

Chairwoman Greene 1:26:16

Totally makes sense. Thank you. Okay. Great. Thank you.

Okay, all in favor of setting the public hearing?

Committee Members 1:26:27

Aye.

Fawn Tantillo 1:26:29

Who moved it?

Legislator Wawro 1:26:30

I did.

Chairwoman Greene 1:26:31

Okay, Mary. And Peter seconded. Or Wawro or Criswell. All in favor?

Committee Members 1:26:39

Aye.

Chairwoman Greene 1:26:41

Anyone opposed? Motion carries. Resolution Number 384: Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Brodhead Solar, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487. And these are coming in more and more frequently. The developers are exempt. And so, this is essentially a reverse pilot where they offer to pay for

services, they like any other business are using. And I'm sure this will be going through Public Works as well. We usually see that in Public Works.

Legislator Criswell 1:27:40

I make a motion.

Chairwoman Greene 1:27:41

So, a motion?

Legislator Criswell 1:27:43

Yes, I make that motion.

Chairwoman Greene 1:27:45

Legislator Criswell. Second, Legislator Wawro. All in favor?

Committee Members 1:27:52

Aye.

Chairwoman Greene 1:27:53

Anyone opposed? Motion carries.

Fawn Tantillo 1:27:59

And Laura, you can do a petition to discharge now.

Legislator Petit 1:28:04

I can. Okay. Yeah, let's get it on.

Chairwoman Greene 1:28:10

Do you want to do that business before we do new and old business? No, no, no. Yeah. Okay. All right. So, is there any new business?

Legislator Criswell 1:28:30

Can I just mention one thing?

Chairwoman Green 1:28:32

Yes, please.

Legislator Criswell 1:28:33

Taking an amazing class at the Bard College Lifelong Learning Institute. And the class has been led by Jon Bowermaster. And it's been incredible. He's been showing his short films. He has a series called Hope on the Hudson. He's got several series under the Ocean 8 name. And it's been really fascinating. He's had

representatives from Scenic Hudson, from all over the valley that... And in talking about Indian Point, talking about Danskammer, and talking about the river, and talking about agriculture, Farm Hub. I mean, it has been so educational and enlightening. And I would love for him to come and talk with us at some point. And just you know, I don't know if you'd be willing to, but he seems really, really interested in policy and understanding how policy can move things along for the environment. I don't know if any of you know him, but it was it's been an awesome class. We've got one more to go.

Chairwoman Greene 1:29:38

Yeah, I have been following that very closely. He works with Clearwater, as well. And his work is excellent. I strongly encourage people. It's also entertaining. I mean, he's really wonderful film director. To look at the series on the Hudson River. And I think Hope on the Hudson, I think features Clearwater, if I am not mistaken.

So, I think, given how long it takes us to get through agendas, and I think things have been especially complicated recently, and hopefully, we'll get back to more, you know, an agenda that doesn't take so much discussion. But it might be a good idea to do what we've done... the Energy Environment Committee, and also the Climate Smart Committee have done special features, where we host a guest, or a panel on a given topic, and we invite the entire Legislature and the Executive Branch, you know, the staff of the county staff, and, and it's open to the public. So, that might be a good way to, you know, to develop a program that people can come to. I'm a little concerned, I'm willing to give them 5-15 minutes, but...

Legislator Criswell 1:31:26

No, I like, your idea better.

Chairwoman Greene 1:31:28

You like the other idea? Okay. So, you know, we've, when we were meeting in person, we would use Chambers. But we could set up a special, you know, Peter, you and I, and anyone else on the committee that would like to work on this, we can be in communication with Joh and a few speakers and set up a zoom meeting. Until we can gather again, and now that we're on a, a second rise in the COVID graph, it may be a while.

Legislator Criswell 1:32:07

It's nothing urgent. It's just something that it was it's been inspiring to me and I just thought I'd bring it up and, you know, throw it out to the committee.

Chairwoman Greene 1:32:16

All right, well, let's, that's very appropriate under new business. And when we discuss it again, next time, and see if we can start putting some dates in shaping it, it'll be old business.

And I'm just trying to think, you know, we've talked about solid waste. I'm just trying to think I do want to say in terms of, I guess, old business, the Climate Smart Committee is revitalized and breaking up into

subcommittees. We'll be working very closely with the Department of Environment on certification, Climate Smart Certification, and also Climate Action Planning for each municipality.

And there's at least one committee that's formed on Regenerative Agriculture. And we've had several meetings in partnership with the Climate Reality project, and we've reached out to Scenic Hudson and the Farm Hub and others. And that goal that we've been carrying in the Climate Smart Committee to do a program on Regenerative Agriculture is going to come to fruition probably in the next few months.

And lots else going on in the world of the environment, but it's late. And we've had, you know, a difficult but I think, productive discussion tonight, and we know where we're going. So, at this point, is there any other new business or old business? Hearing none, I would ask for a motion to adjourn.

Legislator Wawro 1:34:19

I'll make a motion.

Chairwoman Greene 1:34:21

Okay. And seconded by Peter. Did we lose Laura?

Fawn Tantillo 1:34:26

I think so.

Chairwoman Greene 1:34:29

All right. Well, we will have to make due. You'll have to just let me vote.

Fawn Tantillo

Luckily you don't need a quorum to adjourn.

Chairman Greene

Okay, all in favor? Motion carries. Meeting is adjourned. And thank you all very much. Appreciate your time.