

**Energy & Environment Committee
Meeting Minutes**

DATE & TIME: August 8, 2019; 6:45 PM
(or immediately following the Special Session)
LOCATION: KL Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Manna Jo Greene
LEGISLATIVE STAFF: Fawn A. Tantillo
PRESENT: Legislators Lynn Eckert, Jonathan Heppner, Mary Wawro,
Brian Woltman and Legislative Chairwoman Tracey Bartels
(arrived 7:30)
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Kathy Nolan; Legislative Counsel David Gordon;
Tim Rose,

Chairman Greene called the meeting to order at approximately 7:14 pm, lead the Pledge of Allegiance.

Motion No. 1 - To Approve the Minutes July 11, 2019
Motion Made 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
Disposition: Approved

UCRRA Update

Chair Greene reported that bids were opened for transportation and disposal and came in lower than anticipated. She expects there will still be a modest increase that gives the County a 5 year window to develop solid waste solutions.

Motion No. 2 – To discuss Resolution No. 272 - Setting A Public Hearing On Proposed Local Law No. 5 Of 2019, A Local Law Amending The Code Of The County Of Ulster To Include Mandatory Food Scraps Composting By Large Generators, To Be Held On Tuesday, September 10, 2019 At 6:15 PM

Resolution Summary: This resolution will set a public hearing to discuss a local law that would establish mandatory diversion of food scraps by large food waste generators for beneficial use including composting.

Motion By: Legislator Woltman
Motion Seconded By: Legislator Wawro

Motion No. 3 – To amend the local law by adopting the red line changes distributed to the committee.

Motion By: Legislator Heppner
Motion Seconded By: Legislator Wawro

Discussion: Chair Greene explained the process used to develop this local law that began with months of local stakeholder’s meetings that included large food waste generators, haulers and composting facility operators; subsequent meetings with members of the County Executive’s office, County department heads and representatives of the UCRRA; review by county attorneys and aligning efforts with state law passed during this process.

The committee discussed some of the differences between the Ulster County proposed local law and the NYS law recently passed. Both laws cover generators of 2 tons of food waste or more but the proposed local law will eventually cover smaller generators. The local law covers hospitals and schools that are exempt in the State law. The county law will allow for a waiver if there is difficulty with post-consumer waste and discussed problems at the SUNY New Paltz food court. The state law has no such waiver.

Legislator Woltman asked about the law as it applied to schools, specifically if the food waste tonnage was calculated by the individual school building or the entire school district.

Chair Greene clarified that food waste tonnage for each individual school, not the entire school district, would trigger the application of the local law. She noted that composting programs have had remarkable success at schools and the associated first hand activity of reducing waste and creating a beneficial use of food waste is a valuable educational opportunity.

Legislator Nolan suggested it might be prudent to apply the law for generators of 2 tons down to 1 ton then evaluate the program before applying it to smaller generators.

Chair Greene said that option had been considered by stakeholders and regular evaluations were built into the local law. Rather than waiting to include smaller generators they decided to take the opposite approach. Stakeholders were confident that the program would have a successful track record by the time it applied to the smaller generators and any of their concerns could be mitigated at that time. Chair Greene felt if problems with smaller generators could not be sorted out the law could be modified.

Chair Greene explained how some other functions like education, reporting and enforcement will be left to the County Executive.

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: Amendments approved.

Motion No. 4 – to amend the dates in Section 304-50, Applicability to change all beginning dates from April 22 to January 1 of each of the 4 tonnage categories (a-d) and add a separate clause deferring enforcement until April 22, 2020.

Motion By: Legislator Heppner
Motion Seconded By: Legislator Wawro

Chair Greene explained enforcement would begin April 22, 2020 to give the first 2 ton generators time to set up diversion and composting operations. She noted that many of these large generators have well established programs.

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: Amendments approved.

Motion No. 5 – to amend Section 304-52. Training and Education to be titled Notification, Training and Enforcement and add a subsection D. that will specify who will notify businesses that the law applies to them

Motion By: Legislator Heppner
Motion Seconded By: Legislator Woltman

Discussion: Chair Greene explained the need to add language to address how businesses will be notified that this proposed law applies to them especially as the threshold changes. There was a brief discussion of how the data is collected and the tonnage of food waste determined by the county and how businesses would know their data.

Legislator Nolan asked if there was specific language for the committee to consider.

Legislator Heppner felt the law only needed to specify food generators must be notified they meet the threshold of the law and leave it to the County Executive to determine how this will be done.

Mr. Gordon suggested creating a separate subsection D and he will craft the final language on notification.

The committee reached consensus to add language to be crafted and schedule the public hearing.

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: Amendment approved

Voting on Resolution No. 272 and Proposed Local Law 5 of 2019 as amended.

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. 6 – To approve Resolution No. 315- Establishing A Policy Regarding Ulster County’s Use Of Renewable Energy

Resolution Summary – This resolution establishes a policy to purchase 100% of Ulster County’s electricity directly from renewable energy sources or as an interim solution only, by obtaining Green-e Energy Certified Renewable Energy Certificates (RECs); continue to operate a net carbon neutral government and sets other goals to decrease greenhouse gas emissions in the future.

Motion By: Legislator Heppner
Motion Seconded By: Legislator Eckert

Discussion: The committee discussed their support for recent actions by the County Executive and New York State to establish carbon neutral goals as part of an overall effort to address climate change.

Legislators Eckert, Greene, Heppner, Wawro and Woltman asked to be added as sponsors.

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. 6 – To approve Resolution No. 364 - Supporting Notice Of Intent Of Ulster County To Serve As Lead Agency For Capital Project No. 488 – Installation Of Shoulders Along Route 299, Towns Of New Paltz And Gardiner – Transportation Improvement Program (TIP) Not On The State Highway System – Department Of Public Works

Resolution Summary – This resolution declares Ulster County’s intend to serve as lead agency for Capital Project No. 488 to install shoulders on NYS Route 299 West of the Wallkill River.

Motion By: Legislator Woltman
Motion Seconded By: Legislator Heppner

Discussion: Chair Greene explained this project is a SEQR Type 1 action and work has already begun on the planning of the project.

Legislative Chair Bartels and Legislator Nolan asked to be added as sponsors.

Legislative Chair Bartels noted the tragic history of this dangerous highway and how critical this particular project is. She noted the growing popularity of riding bikes, running and walking along our rural roads and highways and suggested the County be proactive moving forward to widen road shoulders to ensure the safety of people on bikes and pedestrians.

Chair Greene and Legislator Nolan discussed the saving to County taxpayers by using Consolidated Local Street and Highway Improvement Program (CHIPS) funding for these important improvements.

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| 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. |

Chair Greene invited Legislator Nolan to discuss a resolution she plans to introduce in September - Resolution No. 375 - Declaring Ulster County A Pollinator Friendly Municipality And Promoting Landscape Maintenance and Practices To Attract And Sustain Pollinator Species.

Legislator Nolan explained a similar resolution was approved in Albany County. She noted that Ulster County has outpaced Albany and other NY Counties in many environmental standards. She was confident Ulster County was already doing many of the things required to be pollinator friendly. She discussed some changes proposed by members of the Public Works committee and the Public Works department as well as efforts of various municipalities and she encouraged fellow legislators to make suggestions to improve this resolution. He hopes these combined efforts can help to create a corridor for resident and migrating pollinators.

The committee discussed how to accommodate timing of summer crews mowing, site distance concerns, preserving pavement and other safety issues. Legislator Nolan discussed these issues with Public Works Commissioner Jackson who was supportive and outlined several solutions. Legislator Nolan is open to amendments and noted that this discussion may result in preserving more pollinator habitat than she originally anticipated.

Legislator Heppner outlined some of the efforts of the State of NY to create corridors along highway medians and other areas. He said some municipalities contract with local farmers to mow large tracts of land for the hay and were amending those contracts but Ulster County does not. He noted that Ulster County's apple farmers are reliant on pollinators like bees that are endangered so these efforts will have an economical and environmental benefit.

Legislative Chairwoman Bartels questioned what insecticides and herbicides are currently covered by previous legislation. The committee discussed restating those policies in this resolution, other potential solutions, research opportunities, adding an educational component and including dedicated funding in the 2020 budget. A discussion ensued.

Chair Greene gave a update on the progress of the Solid Waste Planning Commission.

Chair Greene gave an update on the Climate Smart Committee and progress on the Green Business Challenge.

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: 6

No. of Votes Against: 0

Time: 8:09 pm

Respectfully submitted by: Fawn Tantillo

Minutes Approved: September 5, 2019