

**Energy & Environment Committee
Meeting Minutes**

DATE & TIME: November 7, 2019; 6:30 PM (or immediately following the Economic Development, Housing, Planning, Transit and Tourism Committee)
LOCATION: KL Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Manna Jo Greene
LEGISLATIVE STAFF: Fawn A. Tantillo
PRESENT: Legislators Mary Wawro, Brian Woltman and Legislative Chairwoman Tracey Bartels
ABSENT: Legislator Lynn Eckert and Jonathan Heppner
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Lynn Archer, Kathy Nolan and Laura Petit; Legislative Counsel David Gordon; Legislator Elect Peter Criswell; Deputy County Executive Marc Rider; Amanda LaValle, Coordinator, Ulster County Department of Environment; Tim Rose, Executive Director, Ulster County Resource Recovery Agency (UCRRA);

Chair Greene called the meeting to order at approximately 6:55 pm, lead the Pledge of Allegiance.

Department of the Environment

Chair Greene asked Ms. LaValle to review the County Executives 2020 Budget recommendations for the Department of the Environment.

Ms. LaValle noted that the budget proposal added a new position to her 4-member department that will allow them to work on DEC resilience planning project for the Lower Esopus watershed, work on MS4 storm water mitigation and coordinate efforts with other watershed groups and climate smart community planning.

She spoke about other grants an work the department is doing with New York State Energy Research and Development Administration (NYSERDA), staff training, green jobs and the Green Reserve Fund; fish stocking and New York State Reforming the Energy Vision (REV).

She described how the Resilience Plan that includes evaluating culvers, bridges and snow loads will help create a framework to help the towns.

Chair Greene expressed concern about Ulster County’s recent and upcoming environmental legislation and initiatives that impact the Department of the Environment such as the ban on Styrofoam, BYO Bag and food waste composting. She foresees the need for an Environmental Compliance Officer.

Mr. Ryder noted that enforcement for the BYO Bag plastic bag ban ends for Ulster County in March 2020, when the State law take effect. He said that the County Health Department already inspects local restaurants and businesses and health inspectors simply added enforcement of these laws to the dozens of other laws they enforce.

Ms. LaValle discussed the serious staffing commitment enforcement would require and pointed out that the Department of Environment is not set up to receive money for permits, licenses or fines like the Health Department.

Chairwoman Bartels feels there is a need for an Environmental Educator to support the County Executives initiatives and the aggressive Legislative goals. She noted the excellent environmental record the county has and outstanding work of the Department of the Environment. She would like to see what additional environmental projects or initiatives they would leverage if the legislature gave them another staff person or additional funding to work with.

The committee discussed the Department of Environment proposed 2020 Budget in detail including the Green Fund, Green Business Coordinator, work with Climate Smart Communities, NYSDEC, MS4 Storm Water Training, Resilience Grant, UCRRA, NYSERDA Transit Study and other outside agencies.

The committee discussed outreach to Climate Smart Communities (CSC) including a contact person specializing in the CSC process, Zero Waste initiatives, aggressive reduction and recycling initiatives and the growing need for more environmental education.

Ulster County Resource Recovery Agency (UCRRA)

Mr. Rose and two UCRRA Board members recently attend a state-wide conference of the NYS Association for Reduction, Reuse and Recycling (NYSAR3).

The Local Solid Waste Management Plan (LSWMP) is proceeding on schedule. The 45-day public comment period ends December 11. The UCRRA Board scheduled a public hearing on November 18, 2019 at 7:00. After December 11, the Draft LSWMP along with the public comments will be reviewed by NYSDEC. Mr. Rose expects it may come to the legislature for approval in January or February of 2020.

Chair Greene suggested the Legislature work with the UCRRA to develop a supplemental document to move toward zero waste.

Legislator Petit asked that the Legislature receive the monthly reports of MSW, composting and leachate.

Motion No. 1	To Approve the Minutes October 3 2019
Motion Made By:	Legislator Wawro
Motion Seconded By:	Legislator Woltman
Discussion:	None
Voting in Favor:	Legislators Greene, Wawro, Woltman and Chairwoman Bartels
Voting Against:	None
No. of Votes in Favor:	4
No. of Votes Against:	0
Disposition:	Approved

Motion No. 2 – To approve Resolution No. 416 - Establishing A Policy For Consideration Of Solar Arrays On All New Or Renovated/Replaced Roofs On Ulster County Buildings

Resolution Summary: This resolution would establish a requirement for an engineering feasibility study on all new, renovated and/or replaced roofs on County owned buildings to support solar arrays and when a determination has been made that a rooftop solar installation is not feasible for any such Ulster County project, this be report to the Public Works and Capital Project Committee within 30 days of that determination.

Motion By: Legislator Woltman
Motion Seconded By: Legislator Wawro

Discussion: Mr. Rider recommended issuing one RFP to do a feasibility study of all 48 roofs at one time and identify which buildings would require a structural analysis if and when roof work is done.

Legislator Wawro said she would favor ground based solar and felt these were more practical than roof arrays.

Voting in Favor: Legislators Greene and Chairwoman Bartels
Voting Against: Legislators Wawro and Woltman
No. of Votes in Favor: 2
No. of Votes Against: 2
Disposition: Resolution Failed

Motion No. 3 – To approve Resolution No. 444 - Adopting 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

Resolution Summary: this resolution will require any businesses who produce 2-tons of food waste per week to take part in some kind of waste diversion up to and including composting. Additionally, it establishes a timeline for producers of 1-ton, $\frac{3}{4}$ ton and $\frac{1}{2}$ ton of food waste to eventually meet the same standards.

Motion By: Legislator Wawro
Motion Seconded By: Legislator Woltman

Discussion:

Chairwoman Greene gave an overview of the stakeholders involved and the work that was done to develop this legislation and align it with NYS Law that will take effect in 2022.

The committee discussed the input of Health Care facilities and schools who were not included in a similar the NY State law that that will only cover 2-ton generators.

Legislative Counsel Gordon discussed pre-emption and how the County Attorney and he have different legal opinions. He said he had a formal legal opinion from the County Attorney and was preparing his own legal opinion for the Legislature.

Legislator Nolan asked if it was possible to get an option from the NYS Attorney General.

The committee had a lengthy discussion about how to move forward.

Legislator Wawro expressed concern about including schools, She warned of the potential liability of legal action if schools are included in this law.

Mr. Gordon pointed out that any action of the legislature can be challenged by an article 78 but felt this issue was important enough for the legislature to take a stand on.

Chair Greene felt it was important to move forward with the law to allow sufficient notice to businesses that will be impacted by the law.

Voting in Favor: Legislators Greene, Wawro, Woltman and Chairwoman Bartels
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Approved

Motion No. 4 – to approve Resolution No. 447 - Adopting Proposed Local Law No. 9 Of 2019, A Local Law Amending Local Law 6 of 2014, To Improve And Strengthen The Sustainable Energy Loan Program

Resolution Summary: The resolution would adopt Proposed Local Law 9 of 2019 and amends the Local Law 6 of 2014 and would make the program more attractive to local businesses.

Motion By: Chairwoman Bartels
Motion Seconded By: Legislator Woltman

Discussion: None

Voting in Favor: Legislators Greene, Wawro, Woltman and Chairwoman Bartels
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Approved

Motion No. 5 – to approve Resolution No. 451 - Establishing A Policy That Ulster County Shall Be A Zero Waste Community

Resolution Summary: this resolution will establish a policy for the county to strive to reduce waste and promote reuse and zero waste and directs the Department of Environment and the Planning Department make recommendations on waste reduction, reuse and zero waste, and publicly present, on or before July 1st of each year, an annual report on its findings, and work cooperatively with similar task forces and organizations within Ulster County and in neighboring communities to ensure that efforts compliment and reinforce one another.

Motion By: Legislator Woltman
Motion Seconded By: Legislator Wawro

Discussion: None

Voting in Favor: Legislators Greene, Wawro, Woltman and Chairwoman Bartels

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: Approved

Climate Smart Committee

Chair Greene passed on this update due to the hour.

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

Motion to Adjourn

Motion Made By: Legislator Woltman

Motion Seconded By: Legislator Wawro

No. of Votes in Favor: 4

No. of Votes Against: 0

Time: 8:12 pm

Respectfully submitted by: Fawn Tantillo

Minutes Approved: December 5, 2019