

**Energy, Environment and Sustainability Committee
Regular Meeting Minutes**

DATE & TIME: December 8, 2022 – 6:00 PM (or immediately following the Law Enforcement and Public Safety Committee meeting)
LOCATION: Karen L. Binder Library, 6th Floor, County Office Building, Kingston
PRESIDING OFFICER: Chair Manna Jo Greene
LEGISLATIVE STAFF: Chelsea Villalba, Legislative Employee
PRESENT: Deputy Chair Gina Hansut, Legislators Eric Stewart, Phil Erner, Joseph Maloney, and Legislative Chair Tracey A. Bartels
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Nancy Schmidt – Department of Probation; Nicholas Hvozda – Department of the Environment; Executive Director Greg Ollivier, Director of Sustainability Angelina Brandt – Ulster County Resource Recovery Agency (UCRRA); David Gordon, Esq. – Legislative Counsel; Andrew Ghiorse; Stacey Lipari; Ryan Solomons; Lee Gough; Eric Jonathan

Chair Greene called the meeting to order at 6:32 PM and led the Pledge of Allegiance.

Motion No. 1: **Moved to APPROVE the Minutes of the October 6, 2022 Meeting of the Energy, Environment & Sustainability Committee**

Motion By: Legislator Maloney
Motion Seconded By: Legislator Stewart

Discussion: None.

Voting In Favor: Legislators Erner, Greene, Hansut, Maloney, Stewart, and Bartels
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Minutes APPROVED**

Motion No. 2: **Moved to BLOCK the Minutes of the November 3rd Regular Meeting & the December 1st, 2022 Special Meeting of the Energy, Environment & Sustainability Committee**

Motion By: Legislator Bartels
Motion Seconded By: Legislator Stewart

Discussion: None.

Voting In Favor: Legislators Erner, Greene, Hansut, Maloney, Stewart, and Bartels
Voting Against: None
Votes in Favor: 6
Votes Against: 0

Disposition: Minutes **BLOCKED**

Motion No. 3: Moved to **APPROVE** the Minutes of the November 3rd Regular Meeting & the December 1st, 2022 Special Meeting of the Energy, Environment & Sustainability Committee

Motion By: Legislator Maloney

Motion Seconded By: Legislator Stewart

Discussion: None.

Voting In Favor: Legislators Erner, Greene, Hansut, Maloney, Stewart, and Bartels

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: Minutes **APPROVED**

Director Nancy Schmidt of the Probation Department and Director Nicholas Hvozda of the Department of the Environment shared department updates with the Committee regarding electric vehicles, the feasibility of using EVs for extraditions or borrowing another department's vehicles, fast charging options. Further discussion about an extradition vehicle for the Probation Department ensued.

Resolution for the December 19, 2022 Session of the Legislature

Resolution No. 635 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Department Of Environmental Conservation (NYSDEC) To Accept Grant Funds Under The 2022 Municipal Zero-emission Vehicle (ZEV) Rebate Program - Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Ulster County Legislature to execute an agreement with the New York State Department of Environmental Conservation for the purpose of accepting the rebates totaling \$22,500.00 for the purchase of fleet electric vehicles. establishes Capital Project No. 648, in the amount of \$664,000.00 for the preliminary design, environmental review, and right of way incidentals of the Ulster & Delaware Corridor Rail Trail.

Motion No. 4: Moved **Resolution No. 635** for **DISCUSSION**

Motion By: Legislator Erner

Motion Seconded By: Legislator Hansut

Discussion: None.

Voting In Favor: Legislators Erner, Greene, Hansut, Maloney, Stewart, and Bartels

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolution ADOPTED**

Director Hvozda further updated the Committee with a status report of the Reuse Innovation Center.

Executive Director Ollivier and Director of Sustainability Angelina Brandt of the Ulster County Resource Recovery Agency shared department updates with the Committee regarding environmentally conscious holiday community engagement, general community outreach and social media engagement. Legislator Hansut thanked the RRA for a tour of the facility taken earlier in the month. The Committee discussed the municipalities who have signed on to the food waste composting program.

Director Hvozda shared updates on behalf of Environmental Management Council Chair Dave Haldeman, including evaluation of proposed modifications to the Interim Release Protocol (Ashokan releases). The Committee discussed requesting the Legislature send a letter to the New York State Department of Environmental Conservation and Department of Environmental Protection to extend the comment period on the Interim Release Protocol so the Legislature may submit well-informed comment.

Motion No. 5: **Motion to ENTER EXECUTIVE SESSION**
Motion Made By: Legislator Maloney
Motion Seconded By: Legislator Hansut

Discussion: Chair Greene stated the purpose of the Executive Session was to discuss interviews for the Ulster County Resource Recovery Agency Board of Directors. Legislator Erner stated that he preferred to not go into Executive Session.

Voting in Favor: Legislators Greene, Hansut, Maloney, Stewart and Bartels
Voting Against: Legislator Erner
No. of Votes in Favor: 5
No. of Votes Against: 1
Disposition: **EXECUTIVE SESSION ENTERED AT 7:19 PM**

Motion No. 6: **Motion to EXIT EXECUTIVE SESSION**

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Stewart

Voting in Favor: Legislators Erner Greene, Hansut, Maloney, Stewart and Bartels
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: **Motion APPROVED**

Chair Greene noted that No Action was Taken on Resolution Nos. 618 and 619 until the Energy, Environment & Sustainability Committee Special Meeting on December 19.

Resolutions for the December 19, 2022 Session of the Legislature

Resolution No. 618 — Confirming Appointment To The Ulster County Resource Recovery Agency

Resolution Summary: This resolution confirms the appointment of an individual as a member of the Ulster County Resource Recovery Agency by the Ulster County Legislature.

Resolution No. 619 — Confirming Appointment To The Ulster County Resource Recovery Agency

Resolution Summary: This resolution confirms the appointment of an individual as a member of the Ulster County Resource Recovery Agency by the Ulster County Legislature.

Motion No. 7: **Moved Resolution Nos. 618 & 619 for DISCUSSION**

Motion Made By: Legislator Erner

Motion Seconded By: Legislator Hansut

Discussion: None

Disposition: **NO ACTION TAKEN UNTIL THE 12/19 SPECIAL MEETING**

The Committee discussed Proposed Local Law 12 – A Local Law Providing For The Rights Of The Residents Of Ulster County To Clean Water, And For The Rights Of The Hudson River, Also Known As Mahicannituck.

Chair Greene recognized members of the public Lee Gough, Eric Jonathan, Stacey Lipari and Ryan Solomons to speak in support of Proposed Local Law 12.

Legislators Erner, Stewart and Maloney shared their views regarding Proposed Local Law 12 with the Committee.

Resolutions for the December 19, 2022 Session of the Legislature

Resolution No. 546 — Authorizing The Chair Of The Ulster County Legislature To Enter Into An Agreement With The Hudson River Drinking Water Intermunicipal Council (The “Hudson 7”) To Include Ulster County As A Member And To Provide Financial Assistance For The Hiring Of A Full Time “Protection Coordinator” – Department Of The Environment

Resolution Summary: This resolution authorizes the Chair of the Ulster County Legislature to execute an agreement with the Hudson 7 and Dutchess County to include Ulster County as a voting member of the Hudson 7 and to provide financial assistance for the purpose of hiring a “Protection Coordinator.”

Motion No. 8: **Moved Resolution No. 546 for DISCUSSION**

Motion Made By: Legislator Erner

Motion Seconded By: Legislator Hansut

Discussion: Legislator Maloney stated his preference for the Legislature to appoint the Ulster County Representative to the Hudson 7. Counsel Gordon advised the Committee that they could approve the resolution regardless of the appointment mechanism. Chair Greene stated that she was supported an Executive appointment and Legislative approval process. Director Hvozda shared background regarding the language in the resolution. Further discussion ensued about the representative appointing mechanism and possible amendments.

Disposition: NO ACTION TAKEN

Motion No. 9: Moved Resolution No. 546 for DISCUSSION

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Maloney

Discussion: Discussion ensued about the representative appointing mechanism and possible amendments.

Motion No. 10: Motion to POSTPONE Resolution No. 546

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Maloney

Discussion: Chair Greene and Legislator Stewart expressed their dissatisfaction with postponing the resolution. Legislators Erner, Hansut and Maloney expressed their interest in postponing the resolution until a Special Meeting on December 19.

Voting in Favor: Legislators Erner Hansut, and Maloney
Voting Against: Legislators Greene and Stewart
No. of Votes in Favor: 3
No. of Votes Against: 2
Disposition: Resolution POSTPONED

Resolution No. 547 — Approving The Execution Of A Contract For Rates Anticipated To Exceed \$50,000.00 Entered Into By The County – PlugIn Stations Online, LLC – Department Of The Environment

Resolution Summary: This resolution approves the execution of a contract with PlugIn Stations Online, LLC, for rates anticipated to exceed \$50,000.00 to install, activate and configure, and/or provide power or commercial cloud plan network subscriptions for ChargePoint CPF50 and/or CT4000 series electric vehicle charging stations at various locations within the County. 100% County. Term 1/1/23 – 12/31/24.

Motion No. 11: Moved Resolution No. 547 for DISCUSSION

Motion Made By: Legislator Stewart
Motion Seconded By: Legislator Erner

Discussion: Chair Greene shared her concern with the customer service of the company in the resolution. Legislator Erner stated his support for the resolution.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Resolution ADOPTED

Resolution No. 632 — Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution confirms the reappointment of Simon Strauss as a member to the Ulster County Environmental Management Council.

Motion No. 12: **Moved Resolution No. 632 for DISCUSSION**
Motion Made By: Legislator Erner
Motion Seconded By: Legislator Hansut

Discussion: Chair Greene and Legislator Stewart expressed their support of the nomination of Simon Strauss to the Environmental Management Council.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney and Stewart
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 633 — Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution confirms the appointment of Leslie Surprenant, Nikita Oarcea, Rob Ferri, and Ted Griese as members of the Ulster County Environmental Management Council.

Motion No. 13: **Moved Resolution No. 633 for DISCUSSION**
Motion Made By: Legislator Hansut
Motion Seconded By: Legislator Erner

Discussion: Legislator Stewart expressed his support of the nominations of the above-named individuals to the Environmental Management Council.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 634 — Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: This resolution confirms the reappointment of Sarah Underhill, Kristen Schara, and Dave Haldeman as members of the Ulster County Environmental Management Council.

Motion No. 14: **Moved Resolution No. 634 for DISCUSSION**
Motion Made By: Legislator Hansut

Motion Seconded By: Legislator Erner

Discussion: Legislator Stewart pointed out an error on the resolution.

Motion No. 15: **Motion to AMEND Resolution No. 634 to reflect that Kristen Schara represents the Town of Hurley**

Motion Made By: Legislator Stewart

Motion Seconded By: Legislator Erner

Discussion: Legislator Stewart expressed his support of the nominations of the above-named individuals to the Environmental Management Council.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 636 — Amending The 2023 - 2028 Capital Improvement Program - Amending Capital Project No. 574 - UCAT Rooftop Solar Installation - Amending The 2023 Capital Fund Budget - Authorizing Execution Of An Intermunicipal Agreement With The Power Authority Of New York (NYPA) – Department Of The Environment

Resolution Summary: This resolution amends the 2023-2028 Capital Improvement Program, amending Capital Project No. 574 in the amount of \$457,531.00 for a UCAT Rooftop Solar Installation.

Motion No. 16: **Moved Resolution No. 636 for DISCUSSION**

Motion Made By: Legislator Erner

Motion Seconded By: Legislator Hansut

Discussion: Legislator Erner inquired to Director Hvozda about electrical generation for this project, what the NYSERDA New York Sun Megawatt Block Program is, the common percentage of cost for management services, and annual amounts of savings. Chair Greene and Counsel Gordon discussed the Type II SEQRA status and language of the resolution, suggesting an amendment that says this resolution is a “Type II action under the DEC Type II list and is exempt from SEQRA.”

Motion No. 17: **Motion to AMEND Resolution No. 636**

Motion Made By: Legislator Erner

Motion Seconded By: Legislator Maloney

Discussion: Chair Greene expressed the importance of deliberation in resolutions including SEQRA actions and determinations.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart

Voting Against: None

No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: **Resolution ADOPTED AS AMENDED**

Resolution No. 638 — Establishing Capital Project No. 653 – Hall Of Records Building Rooftop Solar Array Project – Department Of Public Works (Buildings & Grounds)

Resolution Summary: This resolution establishes Capital Project No. 653, in the amount of \$48,500.00 for a Hall of Records Rooftop Solar Array Project.

Motion No. 18: **Moved Resolution No. 638 for DISCUSSION**

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Hansut

Discussion: Legislator Erner inquired about why further engineering services are needed, if there was a forecast electrical power output once this array is installed, and if any discussion was had with the occupants of the building about conservation measures, or a plan to not consume more electricity. Director Hvozda stated that this engineering was specifically for designing the solar array, that it outputs 218,000 kilowatt hours/year, and that no focused discussion has occurred with the occupants past general discussion and climate action plan promotion. Legislator Greene agreed with the points Legislator Erner brought up.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 640 — Authorizing The Chair Of The Ulster County Legislature To Execute A Payment In Lieu Of Taxes Agreement With Lewis Solar Partners, LLC For Solar Energy Systems Pursuant To Real Property Tax Law Section 487 – Department Of Finance

Resolution Summary: This resolution authorizes the Chair of the Ulster County Legislature to enter into a PILOT agreement with Lewis Solar Partners, LLC for the building and operations of a Solar Energy System.

Motion No. 19: **Moved Resolution No. 640 for DISCUSSION**

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Maloney

Discussion: Chair Greene referred to this as a “reverse pilot” and stated that because the developers and property owners are using public services, they will pay the County in lieu of taxes. Legislator Maloney expressed a desire to see the NYSERDA recommendations for this type of payment. Legislator Erner inquired if it is normal for the Town of Rosendale to receive the same amount of revenue as the County for this project. Chair Greene expressed concern that this project is

projected to take place in a forested area, which is out of line with existing climate action goals. Further discussion ensued.

Voting in Favor: Legislators Erner, Greene, Hansut, Maloney, and Stewart
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: **Resolution POSTPONED UNTIL THE 12/19 SPECIAL MEETING**

The Committee briefly discussed municipal adoption of the New York Stretch Code.

Legislator Greene briefly discussed the redeclaring a climate emergency with specific actions. Legislator Erner proposed discussing these actions in January with the elected County Executive. Legislator Stewart shared a Climate Reality Project event with the Committee. The Committee briefly discussed herbicide and pesticide policies affecting Ulster County.

Chair Greene postponed the Old Business discussion items for the next meeting due to time concerns.

Adjournment

Motion Made By: Legislator Erner
Motion Seconded By: Legislator Maloney
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 9:35 PM

Respectfully submitted: Clerk Villalba
Approved: February 2, 2023