

Energy & Environment Committee

Regular Meeting Minutes

DATE & TIME: February 8, 2016
LOCATION: Howard C. St. John Business Seminar Room, Clinton Hall, SUNY Ulster, Stone Ridge
PRESIDING OFFICER: Chairman Richard A. Parete
LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk
PRESENT: Legislators Tracey A. Bartels, Jonathan Heppner (arrived at 6:12 PM), Ron G. Lapp, Jr, Kenneth J. Ronk, Jr. and Mary Wawro
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislator Manna Jo Greene and Hector Rodriguez, and Resource Recovery Agency Executive Director Tim Rose

Chairman Parete called the meeting to order at 6:01 PM.

MOTION NO. 1 RESOLVED To Approve the Minutes of January 21, 2016 as Presented

Motion Made By: Legislator Wawro
Motion Seconded By: Legislator Bartels
Discussion: None
Roll Call Vote: No
Voting In Favor: Legislators Bartels, Lapp, Parete, Ronk, and Mary Wawro
Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Approved as Presented

Guest Presentation – Resource Recovery Agency Executive Director, Tim Rose

Resource Recovery Agency Executive Director Rose noted at the last Committee meeting he indicated an expense trend of \$10 per ton for disposal of single stream recycling materials. He indicated that forecast was based on communication with the two brokers in the region and he had received an email from one of the brokers that the cost would be \$0 per ton for the month of February. He reviewed the hi/low payment history for disposing single stream recycled materials. He noted the March cost was currently an unknown and that the Agency had agreed to plan based on a quarterly review to avoid wild speculation's impact on fees.

Legislator Parete suggested keeping the \$10 per ton fee as the haulers and municipalities sell the single stream recycled material when brokers are paying for the material and bring it to the Agency when times, and income, is not good.

Legislator Bartels reviewed the goal of a recycling fee as part of the larger solid waste management system. Resource Recovery Agency Executive Director Rose noted the volume of single stream recycled material comes from the smaller haulers. Legislator Bartels queried if a review of flow control of recycled material is warranted. Resource Recovery Agency Executive Director Rose stated the larger companies were running the numbers to determine efficiency and passed any costs on to users.

Legislator Bartels and Legislator Parete discussed enforcing the recycling law and the systemic problems with enforcement. Resource Recovery Agency Executive Director Rose noted the Agency issued it's first fine on a business/hauler. He stated they received a complaint and had video to confirm the violation. He stated the \$1,000 fine/penalty is typically avoided through the warning process. He discussed the outreach and education efforts that are done to avoid penalties and enforcement issues.

Resource Recovery Agency Executive Director Rose noted the recycling box order was currently on hold pending the convening of an Agency board meeting with a full quorum. He indicated he hoped to see this order placed in February.

Motion No. 2 Resolutions No. 89 February 16, 2016

Motion Made By: Legislative Chairman Ronk

Motion Seconded By: Legislator Bartels

Text of Motions: **Resolved to approve Resolution No. 89** - Authorizing A Sixty (60) Day Extension For Reporting To The Ulster County Legislature The Findings Of The Solid Waste Management Improvement Commission

Resolution No. 89 Summary: This Resolution authorizes the Solid Waste Management Improvement Commission a sixty (60) day extension to May 1, 2016 to report its findings to the Ulster County Legislature and the Ulster County Executive.

Discussion: Legislator Bartels noted she was also a sponsor of this Resolution.

Roll Call Vote: No

Voting In Favor: Legislators Bartels, Lapp, Parete, Ronk, and Mary Wawro

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Approved

Motion No. 3 Resolution No. 108 February 16, 2016

Motion Made By: Legislator Bartels

Motion Seconded By: Legislator Wawro

Text of Motion: **Resolved to approve Resolution No. 108** - Confirming Appointment Of Member To The Ulster County Resource Recovery Agency

Resolution No. 108 Summary: This Resolution confirms the appointment of Frederick J. Wadnola, 21 Lohmaier Lane, Lake Katrine, NY 12449 for a term that begins presently to December 31, 2017 as a member of the Ulster County Resource Recovery Agency.

Discussion:

Legislator Bartels noted this appointment was filling the appointment of Catherine Nilsen, who was resigning. She noted it was for the remaining two year term. She asked why this appointee was not being interviewed similar to the two being appointed to the full terms in the next resolution. Legislative Chairman Ronk stated the Agency Board of Directors was losing three of it's longest serving members and in particular, their institutional knowledge of the Agency. He stated he wanted to go into the interviewed with an open mind. He felt Mr. Wadnola had the institutional knowledge to fill the gap that is occurring. Legislator Bartels stated she was making this appointment blind as she had not met him.

Legislators agreed to hold off on this vote until after conducting the interviews for prospective Board Members.

Legislators Bartels and Wawro withdrew their respective motion and second.

Motion No. 4 Executive Session

Text of Motion: Resolved to Enter Into Executive Session - For the purposes of conducting candidate interviews for appointment to the RRA Board.

Motion Made By: Legislator Wawro

Motion Seconded By: Legislative Chairman Ronk

Discussion: None

Roll Call Vote: No

Voting In Favor: Legislators Bartels, Lapp, Parete, Ronk, and Mary Wawro

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Committee entered Executive Session at 6:19 PM.

Motion No. 5 Executive Session

Text of Motion: Resolved to Exit Executive Session - To return to the general Committee meeting

Motion Made By: Legislator Wawro

Motion Seconded By: Legislator Bartels

Discussion: Chairman Parete noted the Committee took no action in Executive Session.

Roll Call Vote: No

Voting In Favor: Legislators Bartels, Lapp, Parete, Ronk, and Mary Wawro

Voting Against: None
No. of Votes in Favor: 5
No. of Votes Against: 0
Disposition: Committee exited Executive Session at 8:44 PM.

Motion No. 6 Resolution No. 108 February 16, 2016

Motion Made By: Legislative Chairman Ronk

Motion Seconded By: Legislator Wawro

Text of Motion: Resolved to approve Resolution No. 108 - Confirming Appointment Of Member To The Ulster County Resource Recovery Agency

Resolution No. 108 Summary: This Resolution confirms the appointment of Frederick J. Wadnola, 21 Lohmaier Lane, Lake Katrine, NY 12449 for a term that begins presently to December 31, 2017 as a member of the Ulster County Resource Recovery Agency.

Discussion:

Legislator Bartels indicated she remained conflicted on the appointment. Legislative Chairman Ronk felt strongly enough, while interviews were conducted, that there would be no institutional knowledge beyond Resource Recovery Agency Executive Board Member Landi's that Mr. Wadnola would be an asset on the Board having been a Town Supervisor, a Legislator and even Legislative Chairman. He stated he viewed Mr. Wadnola's appointment as a bridge to the newly reconstructed board.

Legislator Bartels stated she felt more conflicted than before the interview process. She stated supporting this resolution would impact the next resolution and indicated she wished Mr. Wadnola would have been part of the interview process.

Roll Call Vote: No
Voting In Favor: Legislators Heppner, Lapp, Parete, Ronk, and Mary Wawro
Voting Against: Legislator Bartels
No. of Votes in Favor: 5
No. of Votes Against: 1
Disposition: Approved

Motion No. 7 Resolution No. 109 February 16, 2016

Motion Made By: Legislative Chairman Ronk for discussion

Motion Seconded By: Legislator Wawro

Text of Motion: Resolved to approve Resolution No. 109 - Confirming Appointments To The Ulster County Resource Recovery Agency

Resolution No. 109 Summary: This Resolution confirms the appointment of NAME TO BE DETERMINED, CITY, STATE ZIP and NAME TO BE DETERMINED, CITY, STATE ZIP for terms that begins presently to December 31, 2018 as members of the Ulster County Resource Recovery Agency.

Motion No. 7 Amendment #1

Motion Made By: Legislator Parete

Motion Seconded By: Legislator Bartels

Text of Motion: Resolved to amend Resolution No. 109 - To amend the name and address of the FIRST appointment to be:

NAME: Brian Devine
CITY: West Hurley
STATE: New York
ZIP: 12491

DISCUSSION ON FIRST AMENDMENT:

Legislative Chairman Ronk stated he was thrilled that they did the interview process. He noted Mr. Devine was recommended to apply by Resource Recovery Agency Executive Director Rose. Legislator Parete stated he did not want to see Mr. Devine get away from serving on any board.

VOTE ON FIRST AMENDMENT MOTION:

Roll Call Vote: No
Voting In Favor: Legislators Bartels, Heppner, Lapp, Parete, Ronk, and Mary Wawro
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: 1st Amendment Approved

Motion No. 8 Amendment #2

Motion Made By: Legislator Lapp

Motion Seconded By: Legislator Wawro

Text of Motion: Resolved to amend Resolution No. 109 - To amend the name and address of the SECOND appointment to be:

NAME: Jack Hayes
CITY: Gardiner
STATE: New York
ZIP: 12525

DISCUSSION ON SECOND AMENDMENT:

Legislator Bartels stated she could vote yes to Mr. Hayes as the appointment if it was indicated that Ms. Mitten was the alternate. She stated she would be voting no on Mr. Wadnola as she did not know him. She requested that it be listed that Ms. Mitten is the first

alternate. Legislative Chairman Ronk stated that if either of the two appointees proposed turned down the appointment, he would support amending the resolution on the floor to appoint Ms. Mitten. He indicated he would support her as first consideration for a new opening.

VOTE ON SECOND AMENDMENT MOTION:

Roll Call Vote: No
Voting In Favor: Legislators Bartels, Heppner, Lapp, Parete, Ronk, and Mary Wawro
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: 2ND Amendment Approved

DISCUSSION ON MAIN MOTION AS AMENDED:

None

VOTE ON MAIN MOTION AS AMENDED:

Roll Call Vote: No
Voting In Favor: Legislators Bartels, Heppner, Lapp, Parete, Ronk, and Mary Wawro
Voting Against: None
No. of Votes in Favor: 6
No. of Votes Against: 0
Disposition: Resolution Approved As Amended

New Business:

None

Old Business: Climate Smart Committee – Brief Update

Legislator Greene noted the Climate Smart folks are looking at about half a dozen, relatively large solar projects that appear stuck in the development process. She noted the projects were for 2-4 mega watt solar projects. She stated the Committee’s goal was to bring together the municipal officials that are working on these projects to work through the logger jams and get the projects moving. She stated they were bringing a conference together, similar to last year’s street lighting forum.

In regards to the RRA, Legislator Greene expressed a lot of concern about municipalities not using the agency system but rather using haulers that are bringing the material to the Agency that must be accepted at a loss. She felt this needs to be addressed in terms of fairness. Chairman Ronk stated at this time, he did not know the solution or what the end game would be.

Legislator Bartels concurred the Agency Board can choose to charge the municipalities for single stream material. Legislative Chairman Ronk noted it was just recently that single stream was the desired method and that companies had made investments to move to single stream. He noted the change occurred when the economy turned upside down on the recycled material industry. Legislator Bartels concurred this needed to be part of the long term discussion of solid waste management. She stated in her analysis of the Oneida-Herkimer facility, they accept single stream materials and are reporting to still have a market with the low residual waste attributed to a contained system. She asked why their end product was so much more valuable and noted the impact of educating the user.

Legislator Bartels stated allowing the haulers to deliver and take a loss made no sense and was illogical. Legislator Parete compared the loss to the deliver of law enforcement services or money spent on flooded rural roads on a sporadic approach. He noted this increased cost to residents is due to the supervisor's decisions in two towns and the city.

Old Business: Solid Waste Management Improvement Commission – Brief Update

None

Adjournment

Motion Made By: Legislator Lapp

Motion Seconded By: Legislator Wawro

No. of Votes in Favor: 6

No. of Votes Against: 0

TIME: 9:03 PM

Dated the 16th day of February, 2016

Krista J. Barringer, Deputy Clerk

Minutes Approved on: March 7, 2016