

NAME OF COMMITTEE: Environmental Committee

DATE: March 18, 2009

TIME: 6:00 PM

PLACE: Library Conference Room, 6th Floor
County Office Building

LEGISLATORS PRESENT: Chairman Brian Shapiro, Deputy Chairman Laura Petit
Legislators Gary Bischoff, Hector Rodriguez, Richard Parete, Dean Fabiano and Kevin Roberts

LEGISLATORS ABSENT: None

OTHERS PRESENT: Daniel Heppner, Esq., Counsel to the Legislature
Gary Capella, Executive Director, UC Soil & Water
Steve Noble, UC Environmental Management Council
Michael Bemis, UC Resource Recovery Agency
Michelle Rodden, UCRRA Board Chair
Linda Roberts, LWV - Observer Corp.

Chairman Shapiro called the meeting to order at 6:00 PM.

Approve minutes from February 18, 2009 & March 3, 2009

Proposed Introductory Local Law Establishing Plastic Bag Fee In Ulster County:

- Legislator Bischoff mentioned that during Special Committee on March 3, 2009, there was discussion regarding the effective date. 180 days may be too long and feels that 90 days is enough time and feels that momentum may be lost.
- Chairman Shapiro informed the committee regarding the procedures for a local law to become effective (Public Hearing, Adopting Local Law and then Approval or Veto by the County Executive).
- Legislator Roberts added that we are not talking about criminal behavior where you have to have an immediate change of law; this is a cultural change more or less and making people aware for six months is a good amount of time and he would like to stick to 180 days.
- Legislator Bischoff motioned, seconded by Legislator Fabiano to change "Section 9. Effective Date" to read "This Local Law shall become effective 90 days after its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law. Motion failed (no quorum present at this time).
- Issue of enforcement was discussed. The Department of Health would handle the enforcement (Legislator Bischoff had this discussion with Deputy County Executive Marshall Beckman).
- Legislator Roberts proposed that the penalties at \$500. for each violation be changed to "up to \$500. for each violation". Counsel Daniel Heppner recommended that if the

amount seems onerous then he suggests that the amount be made less but to make it a specific amount with graduated penalties.

- The following motions to amend the local law were presented:
 1. Legislator Roberts motioned to reduce the fine to \$250. for the first offense and \$500. for each violation thereafter.
 2. Legislator Petit motioned to change the language in Section 1. (A) striking the word "significant".
 3. Legislator Rodriguez motioned to change "Section 9. Effective Date" to read "This Local Law shall become effective 120 days after its filing in the Office of the New York Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.Motions approved. All in favor.

- Legislator Bischoff motioned, seconded by Legislator Fabiano to consider the following resolution: Setting A Public Hearing On Introductory Local Law No. 3 Of 2009 (A Local Law Establishing Plastic Bag Fee) Be Held On Wednesday, May 6, 2009 At 6:00 PM
Motion approved. All in favor.

Gary Capella, Executive Director, Ulster County Soil & Water:

- He sought Counsel's opinion on whether or not Lou Klein, Hearing Officer, should appear before their Board. Counsel's opinion: Klein should not be present.

- Soil & Water's Annual Report was distributed to the committee and Gary Capella reviewed the following projects: Stream Bank Restoration, Stormwater Management with Ulster County, Farmland (& Open Space), Conservation projects.

- He commented that because the County provides funding it enables the USDA to participate in the operation.

- A contractors' workshop will be held in mid-November. Contractors who work on stream restoration projects must now be certified.

He updated the committee on the Beaverkill Trout Hatchery:

- Ponds have contamination of fish with IPN Disease and face quarantine
- Working to identify parties that can assist in remediation for this matter
- Estimate of scope of work is needed before funds can be applied for
- With stock infected, the time line for this project is "ASAP"; this hatchery is not allowed to sell in New York State.

Legislator Rodriguez has discussed this matter with Lance Matteson, UCDC. There may be funds available through Catskill Watershed or Hudson Valley Agricultural Agency.

Legislator Bischoff suggested speaking to Dennis Doyle, Director, Department of Planning, who is familiar with the many economic stimulus programs available. (Legislator Rodriguez added that these projects must have quick turnarounds in approximately 120 - 180 days).

Chairman Shapiro mentioned the financial impact to this business in the Town of Hardenburgh, where the economic opportunities are limited.

Steve Noble, Environmental Management Council:

- He presented a draft copy of the Annual Report as required by the EMC By Laws.
- He discussed their EMC yearly activities and their participation with Stormwater Management.
- The Financial Disclosure requirement for members of the Council is a huge concern.

Many of the volunteer boards have raised the concern over filing a Financial Disclosure and there are several volunteers who have resigned. (Counsel Daniel Heppner and Deputy County Executive Bea Havranek are meeting to discuss this matter). Consensus was that mass resignation should be avoided if possible.

Michael Bemis, Ulster County Resource Recovery Agency:

He provided an update on the following:

- Financial Audit for 2008 is complete
- Invite to Lou Klein, Hearing Officer (declined)
- Announcement of Household Hazardous/E-Waste Day on Saturday, April 18th
(He noted corporate responsibility for products and the initiative being taken by Best Buy with a coupon good in their retail stores for bringing in E-Waste - limited quantity)
- Photo opportunity in support of proposed plastic bag law - embankment by 209 and 199
- Implementation of capital projects
- Hudson Valley Regional Council Subcommittee
- Invite of Zero Waste Consultant to their next board meeting

Michelle Rodden, Ulster County Resource Recovery Agency:

She discussed the New Paltz Transfer Station issues, the last committee meeting agenda and announced that she will be leaving UCRRA at the end of her term on December 31, 2009. (The Committee thanked her for her service).

Linda Roberts, LWV, Observer Corps:

She mentioned that she would pass the proposed local law information on to the League of Women Voters readers and the upcoming vacancy on the RRA Board.

Chairman Shapiro motioned, seconded by Legislator Parete to adjourn.

Meeting adjourned at 7:16 PM.

Respectfully submitted,

Karen L. Binder, Deputy Clerk
Ulster County Legislature