

**ULSTER COUNTY LEGISLATURE  
COMMITTEE MEETING MINUTES**

**NAME OF COMMITTEE:** Government Operations and Environmental Services

**DATE:** June 9, 2011

**TIME:** 6:00 P.M.

**PLACE:** UCOB, Library Conference Room, 6<sup>th</sup> Floor

**LEGISLATORS PRESENT:** Chairman Shapiro, Legislators Belfiglio, Maio (arr. at 6:07PM), Richard Parete, Robert Parete, and Ronk

**LEGISLATOR EXCUSED:** Legislators Bernardo, Petit and Zimet

**OTHERS ATTENDING:** Gary Capella, Exec. Director, UC Soil & Water; Dare Thompson, LWV; Emily Hauser, NYSDEC; Victoria Fabella, Deputy Clerk, Legislature

- The meeting was called to order by Chairman Shapiro at 6:00 PM.
- A motion was made by the Chairman, Seconded by Legislator Robert Parete, to approve the March 2, 2011 Meeting Minutes. All in favor. Carried.
- A motion was made by Legislator Robert Parete, Seconded by Legislator Ronk, to approve the March 8, 2011 and March 22, 2011 Joint Meeting on Mandates Minutes. All in favor. Carried.

Chairman Shapiro welcomed the Legislators who have been recently appointed to the Committee; Legislators Belfiglio and Richard Parete. The Chairman then introduced Gary Capella, Executive Director of the Ulster County Soil and Water Conservation District. Gary was given the floor to address the Committee.

- Gary Capella, Executive Director, UC Soil & Water: 2010 Highlights, 2011 Updates

Mr. Capella distributed four handouts: 2010 Annual Report to the NYS Soil and Water Conservation Committee; A Summary Report to the Government Operations & Environmental Services Committee dated April 6, 2011, the UC Soil and Water Conservation District Newsletter, Winter/Spring 2011; A Contact Information Sheet

Gary thanked the Committee for the opportunity to speak this evening, and introduced himself saying he has been the Executive Director with Ulster Soil and Water for 18 years. A 25-year resident of the County, he resides with his family in the Hamlet of Wallkill. Gary said the Soil and Water District has been around for 46 years and was created by Legislative Resolution in 1965, which gave the District responsibility for certain matters of environmental water quality as it pertains to agriculture, road ditches, hillsides, construction sites, erosion sediment control, storm water run off, stream banks and other related things. As such, Gary said the District's mission is to protect the County's natural resources through the promotion and implementation of conservation practices which enhance the quality of life in Ulster County. This is done through technical assistance programs; cost-share assistance where the funding is available. Mr. Capella said Soil & Water is a full-service, field-oriented, hands-on, technical assistance agency. They are governed by a Board of Directors who oversee their fiscal operations and the direction of the programs of the District. They maintain two offices, the main office in the Town of Lloyd and a satellite office in Phoenicia for the NYC Streambank Program, which they jointly operate with Cornell Cooperative Extension.

Gary explained the handouts he distributed. He read the 2010 District highlights and 2011 Anticipated Activities from his summary report to the Committee:

#### STREAMS, WETLANDS & HABITAT

- A total of nearly 1,146 acres of wetlands, habitat, and buffer area was created as a result of USDA, NYC, USF &W funds. Approximate cash value: \$184,286.
- The District assisted 5 municipalities and 40 landowners with stream bank stabilization efforts on approximately 36,500 linear feet of bank ranging from site assessment, to design and full implementation. Nearly all of this work was achieved with nearly \$134,581 of outside funding brought into the County by the District.
- The District provided flood mitigation assistance on approximately 9,500 linear feet for 29 municipal and private sites. Technical assessments and permitting assistance was provided.

#### STORM WATER & Ms4

- The District responded to 107 requests from both the public and private sector. Site assessments, runoff data, erosion and sediment control recommendations were provided for general stormwater planning.
- Continued implementation and maintenance of the riparian buffer system (1,500 linear feet) established at the New Paltz Community Gardens along the Wallkill River.
- Provided and planted replacement stock at the storm water detention basin at the new County Salt and Sand barn in the Town of New Paltz, as follow up to the critical area planting in 2009.
- Provided project inspection at the former Galeville Airport in the Town of Shawangunk for the operation of stormwater runoff controls during the construction. The 567 acre site is being converted to wildlife habitat area.

#### AGRICULTURE & NATURAL RESOURCES

- A total of 38 soils group worksheets were developed to help provide tax relief on 1,184 acres of farmland to keep these working landscapes as open space.
- The District staff implemented both USDA and NYS Cost Share Programs which enhanced water quality on 80 Ulster County Farms, applying agronomic practices on over 7,869 acres, along with the installation of nearly 13,685 linear feet of component practices. A total of \$741,258 in funding was brought into Ulster County for these efforts, all of which went out to producers.
- The Annual District Bareroot Tree & Shrub and Fish Stocking Programs sold almost 17,000 trees and conservation products, along with 7,500 fish stock, which generated revenues of \$22,770 - most of which went to businesses in the private sector.

#### GREEN ENERGY/ECONOMIC DEVELOPMENT

Ulster County is a member of the Lower Hudson Long Island Resource Conservation and Development Council. This organization seeks funding for economic opportunities that are environmentally oriented. There are two current projects applicable to the County.

Mobile Grass Pelletizer - A total \$500,000 in funding has been secured by the Council to construct a mobile unit that will convert grasses, hay and other farm product sources into green heating fuel for producers in the Hudson Valley. The intent of the project is to reduce energy costs for farmers thus enhancing agricultural viability & environmental quality. The unit began making visits to pilot farms last autumn.

Hudson Valley Foodway Corridor - The Council has secured \$50,000 in funding from NYSEDA to conduct a feasibility study for transporting Hudson Valley produce to New York City Markets via barge on the Hudson River in an attempt to reduce road congestion, emissions and to reduce transport costs. The study will also investigate the possibility of using battery powered refrigeration for produce trailers, further reducing diesel emissions.

#### USDA SUPPORT

- Not shown in the report is the USDA technical staff, infrastructure support, and expertise provided each year, currently valued at approximately \$400,000. These services are made possible by the county creating and funding the Soil and Water Conservation District.

#### BENEFIT RETURN RATIO

In 2010, the County benefited from over \$1,534,000 in programs and services due to existence of the District, or roughly a 20 to 1 return on the amount of funding allocated (\$76,500) to the District last year.

#### ANTICIPATED ACTIVITIES FOR 2011

- Ongoing execution of a five year agreement with the City of New York to do Stream Restoration and Protection Projects in the City Watershed. The agreement will ultimately bring nearly \$4.5 million into Ulster County over a five year period.

-A total of six sites in the Ashokan Basin are presently under design for riparian or structural practices, with construction anticipated in 2011. The Bushkill and Birch Creek Tributaries will also be undergoing in-depth assessment this field season.

- Ongoing monitoring of the critical area planting of the new storm water detention basin at the New Paltz County Salt and Sand barn. The District will continue to provide replacement trees as needed at no cost to the County.

- Completion of the testing of the Mobil Grass Pelletizer - the unit is expected to be fully operational by the end of this year's summer. The unit has already visited farms in Ulster & Orange Counties.

- Commence with NYS Agricultural non point source grant for \$284,000 awarded to the District to implement agricultural best management practices on three farms in the Lower Esopus Creek Watershed.

- Ongoing maintenance at the New Paltz Village Community Garden Area where a 35 foot riparian buffer has been established along a 0.25 mile stretch of the Wallkill River.

- Continued collaboration with and assistance to the Lower Esopus Watershed Partnership and Municipalities and other partners in an attempt to address flooding and storm water runoff issues in the watershed. The District has collected in stream data on behalf of this effort in the past.

-Assessment, Design and Implementation of a total of 53 existing USDA-Farm Bill Contracts for agricultural water quality. Additional contracts are expected to be awarded later this year.

-Continued inspection of stormwater runoff control measures at the former Galeville Airport in the Town of Shawangunk, which is being converted to wildlife habitat area.

-Field visits as requested by farmers, landowners and municipalities to provide technical assessment and recommendations.

Gary again thanked the Committee and welcomed any questions.

Legislator Rob Parete thanked Gary for providing assistance to a homeowner in Marbletown. Q./ How many employees do you have? A./Gary: 3 permanent full-time. There is a staff of 6 dedicated exclusively to the Watershed and paid for exclusively by the City. When the contract goes, they go.

Q./ Legislator Rob Parete: Can you explain the farm practice "Agronomic" that you reference? A./Agronomic is things like conservation croppings, cover cropping in the fall, terracing, alternating crop strips; talking about acreages of plantings, critical area plantings. Component practices would be where you are actually installing pipeline of diversion. We address that in terms of linear feet, and component practices like critical area seedings we address in terms of acreage. Q./ The last question is about the Grass Pelletizer. How long does the process take from start to finish? A./ I would say they are capable of doing a ton an hour.

Legislator Belfiglio: Q./ Does the raw input have to be dry? A./ It can't exceed a certain moisture content. If it does, it gets too sticky and you can't work with it. We tried with some of the woodchips that were green and it didn't work out too well. Cardboard was kind of dry and we didn't have the steam connected yet. When it's dry you need the steam, and when it's too wet you can't do much with it. You can't apply the adhesive because it will wash away. You need the right combination of temperature, moisture, and pressure to match with what you are feeding into it. Marginal hay seems to be the best. Switch grass and golden rod are okay. Woodchips and cardboard are a stretch right now. But they are starting to actively go out to farms so if you know anybody who is looking for production, we are actually looking for markets to burn the pellets as well as people to produce them. Between the three counties, we are looking for a minimum of 1,000 acres of marginal land. To be able to supply a house throughout the winter you would need 2 acres of production. They can produce it for a fee of \$75 a ton. The going rate at the market is about \$200 a ton, so you can have profit in it. Hopefully, the idea would be to reduce cost.

Chairman Shapiro said he wanted to stress that those constituents who are involved in agriculture are very familiar with Soil & Water, and this agency is an integral part of the agriculture that goes on in this County. The District is very active out in the community; very responsive whenever prompted. Q./ What is the main challenge that you are facing and what can we, as a Committee, do to assist you? A/. Staffing. We have 3 people covering the outer 2/3's of the County essentially, and we are also assisting with the implementation efforts inside of the NYC watersheds. It has definitely put a crimp on our response time when people do call us. We do answer every single one of them. The demand generally stays the same or increases, but if you reduce the services obviously the response time will go up. It is presently our biggest challenge. We touch the basics with the resources we have, but it's getting harder and harder to do so in a timely fashion as time goes on. The deliverables we have up in the City watersheds force us to spend time up there and then we are not spending the time we'd like with stormwater and the pelletizer. We are always planning a month ahead and we try to combine a lot of stops into every trip, which can be difficult depending on the availability of the landowner.

Chairman Shapiro thanked Mr. Capella. Gary encouraged Committee Members to contact him any time with additional queries.

- Resolutions

1. **Draft Resolution No. 0602, June 21, 2011- Climate Smart and Green Jobs Community Pledge For Ulster County**

Chairman Shapiro said this resolution takes the Global Warming Advisory Committee and basically establishes a Climate Smart/ Green Jobs Committee and reinvigorates these issues. The Chairman asked for thoughts on the resolution.

Emily Hauser said that Laura had asked her to take a look at the resolution, but she didn't have enough time. Emily said she lives in Kingston and works for the Department of Environmental Conservation. She was involved in the drafting of this original pledge for any climate smart community in the State. Emily is also on the City of Kingston Climate Smart Committee, so she said she is very aware of the contents of this resolution. She also wrote a resolution for a pledge for the library, which was passed and the City is currently implementing it.

Emily said she thinks this resolution is a very good idea, and will show support and acknowledgement of a problem. The resolution will allow the County to lead by example and give steps towards addressing the issue. She said there are some advantages to be had: the Climate Change Office is trying to provide a lot of technical assistance and there may be opportunities to get extra points for grant applications. Emily said she has started a speaker's bureau of people that are very concerned about climate change and their message is to say "adopt a Climate Smart Community Pledge."

According to Emily, the resolution before the Committee tonight is not complete. Upon quick review, she said it was taken from the City of Kingston Resolution and still reflects things from the City. For example, it references a "Conservation Advisory Council" in #8 on page 5. The County does not have a Conservation Advisory Council. Emily also said there are some very specific things that the Committee may want to add to this resolution. For example, apparently there is already a passed resolution that says the County buildings are going to be LEED. In this resolution, it says the County should try for LEED. Emily said she e-mailed Legislator Petit at 2PM this afternoon saying the resolution needs work, but Emily has not had the time for thorough review of the document.

Legislator Rich Parete recommended that the Committee not take any action on the resolution this month. If there is support, the Committee should wait for an accurate product.

Legislator Rob Parete responded to Emily's comment about LEED saying that the Legislature adopted a resolution a few years ago that says buildings will meet LEED requirements, but not that LEED certification is required. Therefore, he noted that he believes the language in this document does reflect what was previously adopted by the Legislature.

Emily said she thinks there is some County specific information that someone like Amanda Lavalle, Coordinator of the County Department of Environment, could add into this.

Legislator Rob Parete asked Emily her thoughts about the fact that in #2 of this resolution, it talks about setting goals, which haven't been set yet, nor has the County set baseline levels for any of the data that should be collected. However, in #3, it jumps into saying electric use should be reduced by 15%, without having the baseline figures to go by. Emily said that language is in all of the Climate Smart Community Pledges. She said that only refers to electricity, and she noted that since this pledge was originally written, there is now a State goal that says you should reduce all energy by 80% of 1990 levels by 2050. The State goal can be reflected in the County Pledge and it would refer to all energy, not just electricity. There are a lot of new State items (i.e. an energy plan, a solid waste plan, the sea level rise task force report) that the Committee may want to consider adding to the resolution. Emily also said the energy audits that the County has already done should be reflected as well.

Chairman Shapiro said the tool the County uses to get to the end goal has to be accurate. He asked the pleasure of the Committee. The Committee Members agreed to revisit this resolution at the next meeting. The Chairman thanked Emily for her input and efforts.

**2. Draft Resolution No. 0623, June 21, 2011- Requiring That Publications Shall Be Printed On 100% Recycled Content Paper**

Legislator Ronk moved the resolution for discussion. Seconded by Legislator Rich Parete.

Legislator Rob Parete said this resolution has been talked about for the last few months. He wanted it to go thru Committee and be properly vetted because he knows there are concerns about it. He said it came up because when he was reviewing annual reports, he noticed one report that was only two or three pages thick, and printed single side, triple spaced with an outside cover made of heavy, thick paper. Legislator Parete said he is open to a % less than 100% recycled. He added that he is not looking to use 100% recycled paper exclusively, but for County publications. He compared recycled paper to the big, thick, bonded paper and it would be a huge cost savings.

Legislator Ronk said he obtained a quote from Purchasing reflecting a \$60K per year increase to switch all of the paper currently ordered to 100% recycled. However, Legislator Ronk understands that the goal of this resolution is not to use 100% recycled paper exclusively, and he understands there is a huge price difference for 30% recycled paper versus 100% recycled paper. Legislator Ronk also noted that sometimes printers have difficulty processing 100% recycled paper. He suggested changing the resolution to **30% recycled paper** to be used for **certain** publications. Legislator Parete agreed to those changes, but asked for a three year phase-in approach to 100%. Legislator Ronk again expressed concern about problems with laser printers. Legislator Parete would support changing the resolution wording to "**at least 30% Recycled Paper.**"

**Draft Resolution No. 0623, June 21, 2011, will now read: "Requiring That Certain Publications Shall Be Printed On At Least 30% Recycled Paper"** The wording will be changed accordingly throughout the body of the resolution.

**Motion offered to move Resolution as amended forward by Legislator Robert Parete, Seconded by Legislator Ronk. All in Favor. Unanimously Carried.**

- Hydro-Fracking Forum

Chairman Shapiro said the forum at the college went over very well. There was a packed house and a number of Legislators in attendance. He said the gentleman who represented the industry was very upset because public comment was permitted. Chairman Shapiro reiterated that from the beginning, the goal besides presenting information was to accept information and observations from the public.

Since the forum was so successful, the Chairman said he would like the Committee to consider having future forums on any ideas related to government operations, such as a forum on mandates. He said the public was very excited to participate, and the college has extended the invitation to have additional forums there.

Legislator Belfiglio: Q./ Was there any discussion about the State's moratorium that is about to expire on hydrofracking? A./ Legislator Rob Parete: There were no regulatory folks there, no one from the DEC. It was just a presentation of the two sides of the issue.

- Motion to Adjourn:

Hearing no further business, Chairman Shapiro asked for a motion to adjourn. The meeting was adjourned at 6:51 P.M. with a motion by Legislator Robert Parete, Seconded by Legislator Ronk, with all in favor, Carried.

**Respectfully Submitted,  
Victoria Fabella, Deputy Clerk, Ulster County Legislature**