

**NAME OF COMMITTEE:** Governmental Services & Administration Committee

**DATE:** August 8, 2011

**TIME:** 6:00 PM

**PLACE:** **Ulster County Resource Recovery Agency**  
999 Flatbush Road  
Kingston, New York

**LEGISLATORS PRESENT:** Chairman Kevin A. Roberts, Legislators Carl Belfiglio, Dean Fabiano, Kenneth Ronk, Michael Madsen, Robert Parete, and Hector Rodriguez

**LEGISLATORS ABSENT:** None

**OTHERS PRESENT:** Chairman of the Legislature Frederick J. Wadnola  
Legislator Laura Petit  
Legislator James Maloney  
Tim Rose, Executive Director, Ulster County Resource Recovery Agency  
Leon Smith, Chairman of the Board, Ulster County Resource Recovery Agency  
John Parete, Board Member, Ulster County Resource Recovery Agency  
Emily Hauser, LWV  
Dare Thompson, LWV  
Victor J. Melville, LWV-Observer Corp  
William Kemble, Reporter, Daily Freeman  
Karen L. Binder, Clerk of the Legislature, Recording

**1. Chairman Roberts called the meeting to order at 6:00 PM.**

**2. Discussion**

- Proposed Amendment to the Ulster County Solid Waste Management Law (Flow Control)
- Other Viable Financial Options for the future of the Resource Recovery Agency

Chairman Roberts: He opened the meeting by stating that the RRA Board voted down flow control. At the last Republican caucus of the Legislature, he asked how his colleagues wished to proceed with the proposed amendment to the Ulster County Solid Waste Management Law - there seemed to be a lot of mixed messages amongst his colleagues.

Chairman Roberts: He further explained that by voting no the Board is restricted to their decision for a period of one year unless there is a motion to reconsider the flow control issue at the next Board meeting.

Legislator Belfiglio: He stated that he didn't think that the presentation on Flow Control at

the Special Informational Meeting of the Ulster County Legislature held on July 12, 2011, gave sufficient information on flow control. The Cashin & Cahill report stated that flow control was a necessary component to the existence of the RRA.

Legislator Robert Parete: He asked, "What is the purpose of this meeting?"

Chairman Roberts: He replied that the purpose was to discuss viable financial options for the future of the Resource Recovery Agency.

Legislator Robert Parete: He asked, "What happened to the Subcommittee?"

Legislator Maloney: He answered that the Subcommittee met once and was waiting to take further action pending the requested State audit of the RRA which was requested in the late Spring.

There was a brief discussion regarding the charge of the Subcommittee.

John Parete: He offered that the Board voted not to adopt flow control - the issue is complex and he thinks that discussions need to happen to look at various options. He does not feel this can happen in one night.

Leon Smith: He stated that he believes there should have been more discussion between the Board and this committee. He asked, "Why is the issue dead?" Flow Control could pass without the support of the RRA Board.

Legislator Rodriguez: He asked, "Where is the Board on this issue? If you aren't supporting this, what are you thinking about the proposed amendment to the law?"

Legislator Fabiano: He feels that this committee and the entire Legislature are looking to the RRA Board for their input and would follow their lead.

Legislator Rodriguez: He stated that the Legislature does have control over the proposed local law - legally it is up to the Legislature to adopt or defeat the proposed local law.

Chairman Roberts: He stated that he would like to see the Board and the Legislature work together toward a set goal - he doesn't want anyone to step over anyone else.

Legislator Rodriguez: He asked, "What are the concerns? What needs to be looked at? By the Legislators and the Board?"

Legislator Ronk: He stated that he wasn't sure about flow control but the RRA cannot continue to operate like this.

Legislator Robert Parete: He stated that he had concerns regarding every section of the proposed local law. He believes that the RRA needs to address a reduction in costs, operational and budget issues and in addition, there should be a composting component to the proposed local law.

Legislator Rodriguez: He believes that the current system places us in jeopardy - when the contracts expire. There is an opportunity in the next few years to change past practice and look at other options in order to improve the overall operations of the Agency.

John Parete: He expressed that the Board was never asked to put something together to look at Agency finances, etc. They were never asked about flow control. Flow control raises a lot of questions and he does understand why the Legislature would look to the Board for guidance.

Legislator Belfiglio: He spoke about the haulers ability to make their own deals with the Towns when their contracts expire. He expressed his concern about the ongoing financial impact on taxpayers of the County.

John Parete: He replied that they can't prevent the Towns from making their own deals.

Legislator Belfiglio: He stated that the RRA was created to handle trash. If everything was working out, we wouldn't be here. According to Steve Wing, if flow control were in place, volume would be up 10% to 20%.

Legislative Chairman Wadnola: He advised that the goal was to have a County landfill. 20 years ago, Manna Jo Greene and others were opposed to a landfill and now they are doing a turnaround.

Legislator Rodriguez: He asked, "Is there something that should be amended in the proposed local law?"

Chairman Roberts: He suggested that there be a sunset clause for five (5) years and if flow control doesn't work, scrap it. He added that there should be an effort to reduce waste.

Legislator Rodriguez: He stated that if you have control over total tonnage, you would still have tonnage requirements that have to be met. He agrees with Legislator Belfiglio that the money is reflective that the system isn't working properly.

Chairman Roberts: He acknowledged that the system has been broken for awhile and he thinks we can do better. 8 years ago the NSF was \$3.6 million.

Legislator Ronk: He mentioned that he is hearing a lot about the 2% tax cap and thinks that the RRA proposed budget will exceed that cap.

Chairman Roberts: He believes that the RRA should not seek an increase.

Leon Smith: He announced that the Budget will be presented to the Board on Monday, August 15, 2011.

Chairman Roberts: He suggested that pressure needs to be exercised to keep the NSF down.

Leon Smith: He reminded everyone that the County is still responsible for waste management.

There was a brief discussion regarding how other counties handle waste management. Tim Rose offered that Sullivan County and several other counties have a Waste Management Department.

Legislator Belfiglio: He mentioned that the second report on the RRA done by the County Comptroller and how it reflects poor planning. He expressed concerns for the \$21 million debt and who is responsible for paying that.

John Parete: He commented on who would be responsible for the NSF if we have flow control. If flow control is passed it doesn't get rid of NSF - the Board sets the rates - this is the ultimate unfunded mandate.

Legislator Robert Parete: He suggested highlighting the areas of concern and discussing the NSF.

Legislator Rodriguez: He thanked John Parete for bringing up the NSF and the fact that the Board sets the rates.

Legislator Madsen: He expressed his concern of the impact the tipping fees would have on the City of Kingston - the fees will get kicked back to the taxpayers. He discussed a user fee versus a tax. He added that the COK already provides vehicles to city residents.

Chairman Roberts: He stated with flow control, fees will go up or may go down but he believes there would be more parity.

William Kemble to Chairman Roberts: "What did you ask for that you haven't seen yet?"

Leon Smith: The proposed budget will be presented to the Board on Monday, August 15, 2011.

William Kemble to Chairman Roberts: "Are you okay with that? It is available under FOIL."

Leon Smith: He suggested to William Kemble that he could file a FOIL.

Leon Smith: He offered that Sullivan County has a user fee on everyone's tax bill - everybody pays the same fee (\$120 single family).

Legislator Ronk: "What is the fee?"

Leon Smith: He replied, "\$85/ton."

John Parete: He asked, "Do they have single stream?"

Chairman Roberts: He asked, "What do they do with the trash at the end of the day?"

Leon Smith: He replied that they have a contract with Seneca Meadows.

Legislator Rodriguez: He suggested that at the next meeting someone should make a motion to refer the local law back to committee.

Legislator Madsen: He asked, "Back to the Subcommittee - should they be looking at other options?"

There was brief discussion about the charge of the Subcommittee.

Legislator Maloney: He has no issue with expanding the issues the Subcommittee looks at.

Legislator Robert Parete: He is interested in exploring options - not placing the blame on anyone.

Legislator Belfiglio: He wants to chance to see how we can improve the oversight of the Agency. He suggested time limits on reporting.

John Parete: He thinks that the RRA has an outstanding Board that came in during turmoil. He believes the Board could come up with ideas and move forward. They have done a good job and if the RRA is reformed right, the garbage will just roll in.

Legislator Belfiglio: He also thinks that the Committee and the Board are doing a good job.

Emily Hauser: She spent six months of her time investigating options for the Agency. Charlie Shaw presented this information to the Legislature. The study needs to reveal the options. She commented that the user fee in Sullivan County is not innovative. There are lots of ways to fund solid waste. She added that she would be happy to share her research.

Legislator Belfiglio: He asked if the Board would reconsider flow control?

Chairman Roberts to John Parete: "Can the Board put together a study within 30 days?"

There was discussion regarding the landfills - there needs to be a management plan.

### **3. Motion to adjourn**

Legislator Rodriguez motioned, seconded by Legislator Robert Parete to adjourn. All in favor.

Meeting adjourned at 7:13 PM.

Respectfully submitted,

Karen L. Binder, Clerk  
Ulster County Legislature