

**NAME OF COMMITTEE:** Governmental Services, Environmental & Administrative Committee

**DATE:** March 15, 2010

**TIME:** 6:00 PM

**PLACE:** Library Conference Room, 6<sup>th</sup> Floor  
County Office Building

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

**LEGISLATORS ABSENT:** Richard Parete

**OTHERS PRESENT:** Legislator Laura Petit  
Amanda LaValle, Coordinator, Department of the Environment  
Robert Sudlow, Deputy County Executive  
Leon Smith, UCRRA Board Appointment  
Dennis V. Helm, UCRRA Board Appointment  
Don Debrosky, UCRRA Board Appointment  
Vic Melville, LWV Observer Corp

1. **Chairman Roberts called the meeting to order at 6:03 PM.**
2. **Approved minutes from February 8, 2010 meeting.** Motion by Legislator Rodriguez, seconded by Legislator Robert Parete. All in favor.
3. **Ulster County Resource Recovery Agency**

Chairman Roberts introduced: Dennis Helm, Leon Smith and Don Debrosky.

Dennis Helm - He previous sat on the board. He mentioned the policies which have been developed and the money which has been saved by instituting them. He hopes to see a continuation of the current policies and the recycling efforts. He is aware of the changes in the Mandatory Source Separation And Recycling Law.

Leon Smith - He was on the board for 1 ½ yrs and resigned due to a disclosure he signed for his job. He had a secrecy agreement and couldn't have a conflict of interest. He worked for VAW in Ellenville and brings to the board his experience with maintenance and contracting.

- Legislator Robert Parete said that he could attest to Leon Smith's character since he has known him for all of this life. They all spoke briefly about their upcoming appointments and their goals for the UCRRA.

**Resolution No. 85 - Confirming Appointments To The UC Resource Recovery Agency**  
Legislator Robert Parete motioned, seconded by Legislator Ronk to move the resolution. All in favor (6 - 0).

**Resolution No. 86 - Confirming Appointments To The UC Resource Recovery Agency**  
This resolution will be "Ruled out of Order" since the UCRRA appointments are done by the Legislature's Chairman.

**Resolution No. 87 - Confirming Appointments To The UC Resource Recovery Agency**

Counsel David Van Benschoten's opinion regarding the appointments to the Ulster County Resource Recovery Agency is attached.

Legislator Fabiano suggested that Resolution No. 86 and Resolution No. 87 be withdrawn by sponsor. There was discussion regarding the number of resolutions presented for the same appointments. Procedurally since Resolution No. 88 is a late, it cannot be combined with Resolution No. 85.

Don Debrosky - He has been a member of the UCRRA. He mentioned that there have been positive changes in the operation of the agency and he would like to see that the transfer stations are used properly and proper recycling is done. The next collection is going to be medical (pills). He also would like to make sure that the agency is offering the best prices for their services.

- **(Late) Resolution No. 88 - Confirming Appointment To The Ulster County Resource Recovery Agency**  
Legislator Ronk motioned, seconded by Legislator Fabiano to move the resolution. All in favor (6 -0).

Legislator Petit questioned why Littlefoot wasn't invited to the committee meeting since her resolution was submitted timely. Again, it was stated that the appointments to the UCRRA are the Chairman's and then confirmed by the Legislature. The resolution to appointment Littlefoot will be "Ruled out of Order".

Legislator Petit discussed briefly Littlefoot's qualifications; he has environmental and financial background and would be capable of bringing fresh ideas to the agency.

Legislator Belfiglio mentioned the Opinion from Counsel regarding the UCRRA Appointments. This document was distributed to all committee members with tonight's agenda.

No action needs to be taken on Resolution No. 86.

4. **Legislator Terry Bernardo was not present. Legislator Ronk offered the following resolution, seconded by Legislator Robert Parate:** In Support Of New York State Assembly Bill No. A10140 And New York State Senate Bill No. S6276 Authorizing The Use Of Surplus Funds From The Greater Catskills Flood Remediation Program By Ulster County.

Prior to discussion, Legislator Rodriguez stated that he would be a "no" on this resolution.

Legislator Ronk moved the resolution for discussion purposes, seconded by Legislator Robert Parete.

- There was discussion regarding the Flood Remediation Program and what the purpose of the program was supposed to be. There was 15 million dollars available statewide for families impacted by flooding. Currently NYS Senate Bill No. S6276 has been passed by the Senate and the Assembly is considering A10140 to buy-out homes in Wawarsing.
- Legislator Robert Parete mentioned that Dr. Stellato (Board of Health) is urging the adoption of these bills. He further gave details of the flooding issue and how it was created. He firmly believes that the State should not be paying and that NYS is responsible and should be held accountable. The people affected by the leaking aqueduct are faced with contaminated drinking water, water in their basements which creates mold issues, etc.
- Legislator Rodriguez feels that the Flood Remediation Program was no particularly effective and because of the qualifications there aren't even blocks of land which could be made part of a land trust because the house next door might not be part of the buy-out.
- Legislators Robert Parete and Rodriguez concur that the Board of Health and the NYCDEP should be held responsible for this situation.
- Legislator Ronk has read the Senator's material. The lawsuits are too costly to pursue and NYC has very deep pockets and can afford the fight.
- Legislator Robert Parete agrees that the people in Wawarsing deserve clean drinking water and should not be living in substandard conditions. He questioned what would be happening if this were a "wealthier" area? NYC must take responsibility and the BOH should motion for action to be taken. The city has known about the leaking aqueducts for 20 years. They gave money to the town to install pumps but this was just a delay tactic.
- Legislator Rodriguez reminded the committee that this bill may pass anyway regardless of what this Legislature does. The question is, "Do we want the association?" This is DEP's problem, they created it and they should fix it. He just feels this isn't the best program - ask Ulster.
- Chairman Roberts asked if the County is responsible for maintaining the property once it has been sold. Legislator Ronk answered yes, the County is responsible to maintain the property so that it isn't an eyesore; the County takes title. Legislator Ronk asks for the question to be called. The resolution was not approved for lateness and will be referred to the Law Enforcement and Public Safety Committee and the Health and Human Services Committee in April. Vote: 3-3  
(Noes: Legislators Robert Parete, Rodriguez and Roberts)

## 5. Departments/Agencies:

- **Board of Elections - will attend April's meeting to discuss additional machines/space requirements**

- **Information Services**

Point of information: **Resolution No. 56 - Establishing Capital Project No. 333 For Acquisition Of Technology Infrastructure For Ulster County - Information Services for the March 16, 2010 Legislative Session is being withdrawn by sponsor.** The request to withdraw this resolution was made to allow the Executive's Office, in conjunction with the IT Director, to re-evaluate the proposed Capital Financing Plan as it relates to the IS Operating Budget to determine if a re-arrangement of priorities would result in reduced costs.

Chairman Roberts asked Deputy County Executive Robert Sudlow what the time frame and dollar amount might be for this project? There was brief discussion regarding this above Capital Project. IS is hoping to bring the resolution back to committee next month.

- **Soil and Water Conservation District**

Point of information: **Resolution No. 71 - Appropriation For The Ulster County Soil And Water Conservation District**, is on the agenda for the March 16, 2010 Legislative Session. Soil and Water is being funded \$76,500.00 which represents 75% of their 2009 funding.

- **Department of the Environment**

**Resolution No. 54 - Setting A Public Hearing On Proposed Type II Actions SEQRA For The County Of Ulster on Tuesday, April 13, 2010 At 6:00 PM**

The committee agreed that no further discussion was necessary regarding the proposed Type II Actions SEQRA for the County of Ulster.

Legislator Rodriguez motioned, seconded by Legislator Ronk to move the resolution forward. All in favor (6 - 0).

Amanda Lavalley spoke about the Energy Grant. The first stage - the Siemens Energy Audit in conjunction with C & S is about to move forward. This is part of the larger RFP for Energy Performance Contracting which is a way to finance improvements which will save money and guarantee savings back. The audit is a four month project and the County will receive a list of potential measures which can be taken. They will look at boilers, chillers, windows and controls.

Legislator Robert Parete asked if the measures would be energy based or \$ based?

Amanda LaValley answered that the audit will provide both. Siemens will evaluate the cost for replacing and upgrading and show the cost and cost savings over a period of time. There should be a huge menu of performance measures that what can be done.

Deputy County Executive Robert Sudlow updated the committee on the following:

- The County is closing on 5 of the 10 properties that are part of the Greater Catskills Flood Remediation Program.

- C & S is looking at County leases and the options for several departments in need of space. Information Services, Board of Elections, Department of Social Services - everybody is "busting at the seams".
- With the closing of CCP there is a 7700 sq. ft building vacant. Legislator Jack Hayes, Chairman of the Law Enforcement and Public Safety Committee has been asked to look at the old jail. There are rehab options that have to be considered and the expense of moving Information Services is huge...you only want to make that move once.
- The Board of Elections needs more storage for the fifty new voting machines, Court Administration needs more room to handle their work load and is part of the County's responsibility. The best use of space has to be determined.

## 6. Late Resolutions:

- **Draft Resolution - Opposing The New York State Governor's Proposal To Add A Tax On Carbonated Beverages**
  1. Legislator Laura Petit presented the above resolution which was provided to her by a constituent who is concerned by yet another tax. Her concern involves the fact that the tax would go into the General Fund and the economy already has enough added pressures to the public without adding this tax.
  2. Legislator Rodriguez stated that certain products are taxed i.e. cigarettes and liquor. He added that the tax on cigarettes actually cut down on people smoking.
  3. Legislator Belfiglio offered that his understanding of this tax is that it would double the price on carbonated beverages. There is always the issue that what is good for the State versus what is good for us. He added that the lower economic end of the population consumes a great deal of soda.
  4. Legislator Fabiano stated that it isn't the government's responsibility to fix everything and obesity issues should fall elsewhere. He feels it is time for parents to take responsibility for their children's actions and change what they do with their time. The studies show the hours that children sit in front of the TV or the computer; there is a correlation between inactivity and food intake.
  5. Legislator Robert Parete stated that obesity is a problem and adds enormous additional expense to the government's budget by the health issues that are created. The Calorie Posting Local Law helps people make better choices. This does bring a question to the forefront - obesity is a leading killer which can be avoided. He agrees that the tax money shouldn't go into the General Fund and has hopes that behavioral issues need to be addressed. Obesity was the leading preventable killer 20 - 50 years ago.
  6. Legislator Petit believes the state is just looking at this as additional revenue and not examining the health aspects of passing this legislation.

There was discussion about the definition of soda and what is included in the legislation.

Legislator Ronk motioned to move the resolution forward, seconded by Legislator Fabiano. Approved as a late: 4 - 2 (Noes: Legislators Rodriguez and Robert Parete)  
The resolution was approved as a late and will go before the Legislature for adoption on March 16, 2010.

## **6. Other Business**

Chairman Roberts mentioned several changes to the committee: Legislator Madsen is no longer a member and Richard Parete is replacing him. Legislators Laura Petit and Brian Shapiro are officially new members of the committee as of Tuesday, March 16, 2010.

Chairman Roberts also spoke about the new Environmental Subcommittee which will be up and running next month. Legislator Robert Parete stated that he wished to be considered as a member. The membership of the subcommittee will be announced.

## **7. Motion to adjourn**

Legislator Rodriguez motioned, seconded by Legislator Fabiano to adjourn. All in favor (6 - 0).

Meeting adjourned at 7:09 PM

Respectfully submitted,

Karen L. Binder, Clerk  
Ulster County Legislature