

## Energy & Environment Committee

### Regular Meeting Minutes

**DATE & TIME:** March 26, 2015, 6:30 PM

**LOCATION:** Legislative Chambers, 6<sup>th</sup> Floor, COB, Kingston, NY

**PRESIDING OFFICER:** Chair Peter Loughran

**LEGISLATIVE STAFF:** Krista J. Barringer, Deputy Clerk

**PRESENT:** Legislators Hector Rodriguez, Kenneth Ronk, and Mary Wawro

**EXCUSED:** Legislator Richard Parete

**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Legislators Tracey Bartels and Manna Jo Greene; League of Women Voters of the Mid Hudson Valley Representative Vic Melville; Deputy County Executive Ken Crannell; Ulster County Fleet Manager Kim Millian; New Yorkers Against Fracking Representatives Benjamin Bruno and Jess Mullen; New York Public Interest Research Group's Environment Issue Representative Amanda Ruschak; Town of Hurley Residents Chris Beall and Illona Ross; Catskill Mountainkeeper, Ulster County Trails Advisory Committee, and Ulster County Tourism Committee Representative Kathy Nolan; and Parrots for Peace Representative Gloria Waslyn

Chair Loughran called the meeting to order at 6:31 PM.

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#### **Motion No. 1                      Resolutions Nos. 109 and 32 – April 21, 2015**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Ronk

**Text of Motion: Resolved to approve Resolution No. 109** - Setting A Public Hearing On Proposed Local Law No. 3 of 2015 (A Local Law Establishing A Sustainable Green Fleet Policy) To Be Held On Tuesday, May 19, 2015 At 7: 00 PM

**Resolution No. 109 Summary:** This Resolution noted the submission of Proposed Local Law No. 3 of 2015 to the Ulster County Legislature and tabled said Proposed Local Law pending the holding of a public hearing thereon. The Resolution directs the Clerk of the Ulster County Legislature to cause a legal notice of said public hearing to be published according to law and that said public hearing will be held on Tuesday, May 19, 2015 at 7:00 PM in the Legislative Chambers, Ulster County Office Building, 6<sup>th</sup> Floor, 244 Fair Street, Kingston, New York.

**Text of Motion: Resolved to approve Resolution No. 132** - Adopting The Ulster County Green Fleet Policy

**Resolution No. 132 Summary:** This Resolution establishes and adopts the “Ulster County Green Fleet Policy” attached to the Resolution as Exhibit A.

**Discussion:**

Legislator Ronk stated he and Legislator Bartels spoke about where they would find agreement and where they were not in agreement. He suggested going through those items.

Deputy County Executive Crannell introduced Fleet Manager Millian, provided an overview of the Fleet Manager role, the resource it is to the County, and discussed the prior resolution for a diesel bus as well as the problems with hybrid buses. He noted the County’s goal was to reduce consumption and emissions. He noted the upcoming purchase of hybrid, plug in sedans and the Fleet Managers role to review and analyze all requests to purchase new vehicles against these County goals. He began to discuss the proposal for the Sheriff’s vehicles. Legislator Ronk indicated for the purposes of this discussion, it would be best to not discuss items that have either already passed or were vetoed.

Legislator Bartels concurred their discussion reviewed each document side by side. She noted Legislator Ronk’s priority items were not necessarily deal breakers for her.

Legislator Rodriguez noted the goal to get to one document. Legislators Rodriguez and Ronk discussed the wiliness to amend and the possibility of reaching an impasse. He noted one item not in his caucus’ proposed local law that was important to Legislator Bartels was a delineated idling policy. Chairman Loughran clarified this idling policy was specific to County owned vehicles and not privately owned vehicles.

Legislator Bartels requested administrative staff in attendance assist in the review with any areas to which the policy as stated would be unattainable.

Legislator Rodriguez asked if the inclusion of the LPG and CNG as an acceptable fuel being kept in the proposal. Legislator Ronk replied the administration had made it clear that it was not their intent to purchase any LPG or CNG fueled vehicles. He stated a local law was written for now and in the future. He suggested if five or ten years down the road, the Federal Government issued a ban on hydro-fracking then no LPG or CNG fuels could be produced by fracking. He felt it should remain as an option and stated he was open to taking it out of the Green fleet definition and creating a new definition for an alternative fuel vehicle.

Legislator Rodriguez noted future Legislatures could always in the future amend a local law or a policy to reflect changes made as a society. Legislator Ronk replied there was nothing in the proposed local law to require the County Executive to use it.

Deputy County Executive Crannell felt as an environmental committee, it would want to make a statement to the current or future administration on the goal to explore non-renewable energies. Legislator Ronk requested Chairman Loughran keep statements recommending policy to those coming from Legislators. He noted a difference between providing information and making

recommended policy statements. Chairman Loughran felt if the Committee was setting policy, it would want to hear what the administration would have to say. He concurred the Legislature did not have to follow the recommendation but it did not stop them from listening to what someone had to say. Legislator Ronk replied Deputy County Executive Crannell was in attendance to provide details regarding the operations not about the policy. He noted the extensive conversations he has had with the County Executive regarding the difference between policy and operations as well as the respective roles of the Legislature and the County Executive. Deputy County Executive Crannell concurred with Legislator Ronk and noted his comments were made due to his enthusiasm for the topic.

Legislator Bartels stated this was an area that she and Legislator Ronk discussed and noted her concern with the local law using the United States Department of Energy's definition in the definition for alternative fuels and the inclusion of that definition in the definition of Green vehicles. She felt a Green fleet means from renewable sources. She highlighted her Green Fleet policy prioritizes hybrid, hybrid-electric and sustainable alternative fuel. She stated she spoke with Legislator Ronk about removing the definition section all together as well as removing the language of vehicles running off alternative fuels as one of the goals.

Legislator Rodriguez noted the discussion continued an old discussion in a new format. He indicated the issue continues to pop up. Legislator Ronk replied the discussion revolves around the use of a definition established by industry sycophant, the United States Department of Energy. He noted he maybe willing to remove the definition but needed to speak with his caucus. He stated he was willing to take it out of the definition of Green vehicles. Legislator Rodriguez expressed concern that it would still be listed as alternative fuel vehicles and noted this might be an impasse item.

Legislator Greene stated she did not understand the definitions "Light Duty Truck", "Medium Duty Vehicle" and "Heavy Duty Vehicle" that currently use fossil fuels. Fleet Manager Millian stated most of those vehicles were included in the "Heavy Duty Vehicle" category. Legislator Bartels noted these definitions were taken directly from the Dobbs Ferry climate smart template. She stated she took it out of her policy as she felt it did not add anything to the policy and was not referenced in the rest of the policy. Legislator Ronk stated it came up in the proposed local law when passenger vehicles can be considered in another category. Legislator Bartels spoke about losing all the definition for cleanness of the policy. Legislator Ronk replied local laws typically had definitions. Legislator Rodriguez stated as structured the definitions were needed and understood their inclusion as they were made referenced to throughout the local law. Legislator Bartels spoke about the use of the same template documents from the Mid Hudson Green Fleet Guidance documents in both the proposed local law and the policy. She reiterated the Dobbs Ferry document had definitions and she reminded the Committee to keep an open mind as they strive toward one document. Legislator Ronk noted he felt he had enough votes to pass the proposed local law. Legislator Bartels noted there were not enough votes to override a veto.

Chairman Loughran asked if Legislator Ronk was willing to remove the definition of "alternative fuels" from the definitions. Legislator Ronk replied not yet as he preferred to come to agreement on

the other items first. Legislator Bartels felt this was a good plan as they may need the definition if it is referenced later in the document.

Legislators Ronk and Bartels indicated after speaking prior, they were in agreement to remove the title section from the proposed local law.

Legislator Bartels spoke about the desire to add in energy costs in the Legislative Intent/Policy Basis section. She stated she would get these numbers from Department of the Environment Director Amanda Lavalle.

Legislator Ronk asked which vehicles have Automatic Vehicle Locator Systems (AVLS). Fleet Manager Millian replied they were in the Sheriff, Highway, and UCAT vehicles.

Committee members proceeded to compare the proposed local law and policy documents section by section. [NOTE: A tracked changes, blended document based on this discussion is attached.]

Legislator Greene stated she agreed with having definitions if they are referenced in the rest of the document. Legislator Rodriguez replied what was gained with definitions was lost in flexibility. Legislator Ronk spoke of the Legislature's goal to avoid leaving definitions to the judicial branch of government to define.

Legislator Greene felt there existed a State idling policy. Fleet Manager Millian thought there was a 5-minute idling policy at the State. Chairman Loughran indicated he would contact the New York State Department of Transportation tomorrow to inquire.

Chairman Loughran thought the AVLS could monitor a vehicle's idling. Fleet Manager Millian replied the AVLS could monitor idling if the County purchased additional equipment for each vehicle. She noted the County's current AVLS equipment only monitored the travel of the vehicles. She stated she would check into the cost of this additional equipment.

Legislator Ronk volunteered to rewrite his proposed local law based on this discussion.

Deputy County Executive Crannell and Legislator Bartels reviewed the items requested for the next meeting, including examples of technological advances for item #13, examples of education for item #8, and specific numbers for energy costs for fuel.

Legislator Rodriguez asked if the Committee was moving forward with a proposed local law. Legislator Ronk replied since the beginning he stated the policy not being done as a local law as a deal breaker for him. Chairman Loughran stated he had a problem with creating a local law. He stated good policy was good policy whether it was through a local law or as a policy. He felt if putting teeth to the policy was the issue, teeth could be added to a policy by adding consequences. Legislator Bartels felt it was more appropriate as a policy as it was an internal policy, governing only the County's own vehicles. She stated this was not a sticking point for her and was willing to compromise. She asked if the alternative fuel issue could be met with compromise. Legislator Ronk replied he was willing to take out the alternative fuels definition if the final document

includes the review committee and remained a local law. Legislator Greene stated her understand of a local law was that it would govern everyone in the County whereas a policy guided actions of the executive office.

Committee members agreed to continue the discussion at the next regular meeting of the Energy and Environment Committee on April 9, 2015 at 7:00 PM with the goal of creating one document.

**Adjournment**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Ronk

**No. of Votes in Favor:** 4

**No. of Votes Against:** 0

**TIME:** 8:58 PM

**Dated the 27<sup>th</sup> day of March, 2015**

**Krista J. Barringer, Deputy Clerk**

**Minutes Approved on: April 9, 2015**