

Energy & Environment Committee

Regular Meeting Minutes

DATE & TIME: June 8, 2015, 7:00 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Deputy Chair Ken Ronk
LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk
PRESENT: Legislators Peter Loughran (arrived 7:15 PM), Richard Parete, Hector Rodriguez and Mary Wawro (arrived 7:05 PM)
EXCUSED: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Tracey Bartels and Manna Jo Greene, County Attorney Bea Havranek, Fleet Manager Kim Millian, Department of the Environment Director Amanda LaValle, Resource Recovery Agency Executive Director Tim Rose, League of Women Voters Observation Corp Representative Vic Melville, and Ulster County Trails Advisory Committee Member Kathy Nolan

Deputy Chair Ronk called the meeting to order at 6:37 PM.

MOTION NO. 1 RESOLVED To Approve the Minutes of May 7, 2015

Motion Made By: Legislator Rodriguez
Motion Seconded By: Legislator Parete
Discussion: None
Roll Call Vote: No
Voting In Favor: Legislators Parete, Rodriguez, and Ronk
Voting Against: None
No. of Votes in Favor: 3
No. of Votes Against: 0
Disposition: Carried

RRA Report: Tim Rose, Executive Director, Resource Recovery Agency

Resource Recovery Agency Executive Director Rose reported the Agency's Resolution to stop servicing the Towns was tabled by the Board of Directors. He noted a Resolution for agreement to provide services passed.

Legislator Rodriguez noted the issues the Agency goes through with the Towns and indicated this needed to end. He felt the thought of not serving the Towns raises the question of why does the Agency exist. Legislator Ronk replied while he understood this point of view, he noted the use of the Town transfer stations to move solid waste. He stated the Towns needed to step up.

He noted various contracts had been discussed. He stated he wanted the Agency to service the Towns but not to the detriment of the Agency which is what it appeared the Towns wanted.

Legislator Rodriguez discussed the Oneida-Herkimer experience with Town contracts. He felt every effort should be made to get contracts in place. He concurred the desire to not want to put the Agency in a whole but also noted the Agency exists to service the Towns.

Legislator Bartels asked how long the contracts would be for. Resource Recovery Agency Executive Director Rose replied it was five years.

Legislator Greene commended the Agency for a real change in what was a bottleneck. She noted it took a little figuring out as it was complicated.

Legislator Parete asked if the rates would be going up. Resource Recovery Agency Executive Director Rose noted the rate was \$103 per ton and the box rental fee would be \$77. Legislator Parete clarified he was seeking the garbage rate. Resource Recovery Agency Executive Director Rose clarified the \$103 per ton was set on January 1, 2015 for everybody.

Legislator Parete noted the Towns complain but at the end of the day, when they get prices from competitors, it is not even close. He recommended the Towns either sign or get another vendor.

Resource Recovery Agency Executive Director Rose reported at the last Board Meeting, a fourteen point of emphasis was sent out to the Towns and the Resolution to get out of the business was tabled. He felt this would only be brought back out if there were only a few Towns signing on. He noted at this time, 18 municipalities had signed on for full service and one signed on with recycling only. He expected 90% of the municipalities would sign on.

Legislator Bartels asked if when the agreement was finalized and distributed to the Towns, the Agency could send a copy over to the Clerk of the Legislature for distribution to the Legislators. She noted they would not need to see all the contracts but would like to see just one of the contracts as an example.

Resource Recovery Agency Executive Director Rose noted the Towns would have 30 days to sign and at the July Board meeting he expected to be given the formal authority to sign the contracts. Legislator Bartels asked if the 30 days would be enough time for the Towns to process the agreement through their Boards. Legislator Rodriguez and Parete noted the Boards could hold a special meeting and many have workshop meetings.

Resource Recovery Agency Executive Director Rose noted the Agency would submit a formal draft budget in August by delivering it to the County Executive and the Legislature. He noted the budget would be submitted to the Towns in September.

Legislator Ronk asked about the rental fees for boxes. Resource Recovery Agency Executive Director Rose noted the fee was \$77 for the boxes which was down from \$85 per month. He noted the \$85 fee included the cost for the trucks. He stated \$16 was added to the pull charge bringing that up to \$88 per pull.

Legislator Ronk asked if there was a provision to further disincentive the destroying of equipment. Resource Recovery Agency Executive Director Rose replied if the Towns do destroy equipment, the service would be pulled from the town. He noted the increased costs to the other towns for destroying equipment.

Legislator Ronk asked how long would the rental fee pay off the box purchases. Resource Recovery Agency Executive Director Rose replied it was a five-year contract with the expectation that they will commit to another five for paying off the purchase of the boxes. He noted if a Town pulled out early there would be a balloon payment.

Legislator Greene noted there was no charge for the recycling box rentals. She noted there was a pull charge for the recycling boxes. She noted the receipt of grant funding which is the reason there is no rental fee for the recycling boxes. She asked if there was a draft of the contract and if the Towns had seen the contract. Resource Recovery Agency Executive Director Rose replied he had just received the contract today and hoped to send the contract out by the end of the week. He expressed hope in seeing approvals by July.

Resource Recovery Agency Executive Director Rose noted in the hiring of a new Recycling Coordinator that resumes are being submitted until next week. He stated they advertised nationally and locally. He also noted there had been a lot of word of mouth activity on this position. He stated colleges were also notified of the opening. He stated he hoped to hire by mid-July for this position.

Motion No. 2 Resolutions No. 109 & 32 June 16, 2015

Motion Made By: Legislator Rodriguez for discussion

Motion Seconded By: Legislator Parete

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 Wednesday, July 15, 2015 At 6:00 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 Wednesday, July 15, 2015 at 6:00 PM in the Legislative Chambers, Ulster County Office Building, 6th 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 noted he met with Minority Counsel Guerin and County Attorney Havranek. Legislator Bartels indicated it would have been nice to have Legislator Greene and herself at the meeting but felt the result was productive.

County Attorney Havranek proposed changes to Section 6. Monitoring of the Fleet Policy. The Committee discussed the proposed changes and amendments to the proposal are in bold.

SECTION 6. MONITORING OF THE FLEET POLICY

In order to determine whether the goals outlined in Section 4 above and the actions outlined in Section 5 above, have been reached, and/or whether or not they should be modified or amended, annually, on or before **March 1st** of each year, a report, prepared by the Director of the Ulster County Department of the Environment, in conjunction with the Ulster County Fleet Manager and any other department of the County that the Director of the Department of Environment may deem necessary, shall be filed with the Ulster County Legislative Standing Committee that includes assigned with the Department of the Environment and another Committee as deemed necessary determined by the Clerk of the Legislature ~~so designated by the Chairman of the Ulster County Legislature to receive and review such information.~~

The annual report shall include, but not be limited to:

- a. Information addressing the criteria of Sections 1, 3 and 5 above;
- b. **Documentation of the fuel use and emissions associated with the ulster county fleet;**
- c. An assessment of whether or not the goals set forth in the policy have been attainable; and if not, the reasons relevant;
- d. Recommendations regarding actions to be taken in order to meet the goals set forth in the Policy; and
- e. Recommendations as to specific changes or modifications to the Policy that would promote the goals of the Policy.

The Legislative Standing Committee(s) as designated, having reviewed the information and recommendations set forth in the annual report, shall, if it deems necessary, propose to the full Legislature any changes or modifications to this Policy.

Motion No. 3 - Legislator Rodriguez motioned to amend Proposed Local Law No. 3 of 2015 with the proposed changes to Section 6 as indicated above. Legislator Parete seconded and with all in favor the motion to amend was carried.

Legislator Ronk noted the suggestion to add a waiver section as Section 8. He provided the following proposed Section 8:

The County Executive may request a waiver of the purchase requirements of Section 5 of this Law by resolution of the County Legislature if he/she determines that such a waiver is in the best interest of the taxpayers and residents of Ulster County. No such waiver shall take effect unless such a resolution is deemed passed with a majority of the County Legislature voting in the affirmative.

Motion No. 4 - Legislator Rodriguez motioned to amend Proposed Local Law No. 3 of 2015 by establishing Section 8 as indicated above and changing the amending the Section 8 and 9 to be Section 9 and 10 respectively with any minor changes being made to this waiver by the County Attorney, in consultation with the Minority Counsel. Legislator Ronk seconded. Legislator Bartels and Greene discussed the waiver language “best interest of the taxpayers”. With all voting in favor, the motion to amend was carried.

In the spirit of the bi-partisan activity regarding Resolution 109, Legislator Bartels requested that she and Legislators Loughran, Rodriguez, Greene, Parete be added as sponsors. Legislator Ronk agreed to this addition.

Legislator Rodriguez withdrew his motion to approve Resolution No. 132. Legislator Parete withdrew his second.

Roll Call Vote: No

Voting In Favor: Legislators Loughran, Parete, Rodriguez, Ronk and Wawro

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Carried

Resolution No. 32 June 16, 2015

As sponsors of Resolution No. 32, Legislator Bartels and Greene indicated they were withdrawing the Resolution.

Motion No. 5 Resolution No. 239 June 16, 2015

Motion Made By: Legislator Loughran

Motion Seconded By: Legislator Parete

Text of Motion: Resolved to approve Resolution No. 239 - Establishing Capital Project No. 456 – Ulster County Law Enforcement Center Lighting – Department Of The Environment

Resolution No. 239 Summary: This Resolution establishes Capital Project No. 456, Ulster County Lighting Controls for Ulster County Law Enforcement Center and amends the 2015 Capital Fund Budget is amended by increasing Appropriation Line (HH. 199700456-2300.2550-Construction) by \$12,237.00 and Revenue Line (HH.1997.0456-3500.5710-Serial Bonds) by \$12,237.00.

Discussion:

Department of the Environment Director LaValle noted this was the first phase for the project. She stated this would update the lighting in the warehouse and in the recreation areas of the jail pods. She stated sensors in the warehouses were not part of this project and would have to stay. She noted the payback on the capital project was 13 months. She noted they would continue to work with Lime Energy on the sensors as this was a big lift area in terms of energy efficiency. She noted there was lots of day light in the long hallways and despite this, there were a lot of lights that remain on all day long.

She noted they continue to do the CDB for the LED retrofits. She noted the County Executive has endured this would be at no cost to the County.

Legislator Parete noted this was a ten-year old building in which the original construction was done incorrectly. Director LaValle noted the technology is changing so quickly with retrofits being done in 2011. Legislator Parete asked if they would be doing another update in the next five years.

Director LaValle reiterated it was no cost to the County. Legislator Ronk noted the payout was worth it.

Legislator Parete asked why the County was bonding for \$12,000. Legislator Ronk noted this was in anticipation of funding. Legislator Parete asked if there was available funding elsewhere in the budget. County Attorney Havranek noted the County will first do a bond anticipation note and then a serial bond. Legislator Rodriguez noted the bonds are all rolled together.

Legislator Rodriguez noted there were 49 fixtures being retrofitted and highlighted the Lime Energy project funds are first come, first served activities until all money is used in the pot. Director LaValle concurred the funding was \$1 million incentive funding from Central Hudson that goes to paying the utility's share of the project. She noted the sensors estimate from 2012 was around \$80,000. She noted this was the first piece of the capital project and they were starting here based on the payback opportunity.

Legislator Bartels noted on the last page of the proposal the numbers add up to 75 yet there were 49 fixtures listed. Committee reviewed the numbers and determined 49 to be the total number of fixtures.

Legislator Greene was supportive of this project and indicated it to be a low hanging fruit opportunity. She discussed the street lighting initiative being coordinated by the Climate Smart Committee. Director LaValle noted this project was not similar to the Street Lighting project.

Roll Call Vote: No

Voting In Favor: Legislators Loughran, Parete, Rodriguez, Ronk and Wawro

Voting Against: None

No. of Votes in Favor: 5

No. of Votes Against: 0

Disposition: Carried

New Business –

Legislator Greene noted the Town of Woodstock is considering opting out of smart meters. She suggested the Committee hold a public information session to better understand this issue.

Old Business – Climate Smart Committee – Update

Legislator Greene reiterated Committee is helping to coordinate the municipal street lighting project. She noted the City of Kingston is moving quickly on this project with the completion of an assessment and the hiring of a consultant. She noted the members benefit from a monthly Town sharing portion of the meeting.

Legislator Greene indicated the Committee and the Public Works and Capital Projects Committee has been reviewing the Siemens Energy Audit and have found a lack of information forthcoming on this. Legislator Ronk asked if information was requested and not received. Legislator Greene noted in the capital plan there was an amount set aside to implement the audit and it should have an associated concrete plan for implementation. She felt the items were

being implemented randomly in each of the different buildings. She stated they requested the sequence for implementation and had been told repeatedly it would be provided the following month.

Director LaValle noted the 2010 Audit contained 90-100 different facility improvements with each having their own price tag and savings. She noted last fall there was a list provided to the Legislature, which indicated the status of each of the recommended improvements. She stated while this could be updated, it had not been teased out as a capital plan. She noted the improvements were made based on opportunity for savings.

Legislator Loughran requested the Committee be provided an updated list. Director LaValle reiterated this list was done in the fall and color coded to the energy audit. Legislator Greene stated it wasn't clear what was going to be done in the upcoming year.

Legislator Parete noted if the County was holding off on doing recommended improvements as it waited for grant opportunities that maybe the County would need to step up and fund them.

Old Business – Solid Waste Disposal Improvement Commission - Update

Legislator Rodriguez reported the Commission had been traveling to facilities. He noted on May 20th they traveled to the Delaware County facility which blew them away. He noted by volume the facility was taking [diverting] 70% of the solid waste and breaking it down to mulch. He noted this mulch could be used in landscaping and not in food production. He noted the next meeting would be on the 29th and that they were planning trips to Westchester County and Taylor Recycling. He noted they were seeing what each County does well. He discussed the Rockland County C&D disposal. He noted they requested data from the Counties including tonnage, cost to build, and diversion rates with the assistance of Legislative staff. He noted they were looking at differences between single vendor and multi-vendor systems. Legislator Greene spoke of the new Taylor recycling system, which is more than C&D and includes a bio-gas system.

Adjournment

Motion Made By: Legislator Rodriguez

Motion Seconded By: Legislator Loughran

No. of Votes in Favor: 5

No. of Votes Against: 0

TIME: 7:42 PM

Dated the 19th day of June, 2015

Krista J. Barringer, Deputy Clerk

Minutes Approved on: July 21, 2015