

Energy & Environment Committee

Regular Meeting Minutes

DATE & TIME: November 10, 2015, 5:45 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB
PRESIDING OFFICER: Chairman Peter Loughran
LEGISLATIVE STAFF: Krista J. Barringer, Deputy Clerk
PRESENT: Legislators Hector Rodriguez, Ken Ronk and Mary Wawro
EXCUSED: Legislator Richard Parete
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Manna Jo Greene, Tracey Bartels, Lynn Archer and Jeanette Provenzano; Legislator-Elect Jennifer Schwartz Berky; League of Women Voters of the Mid Hudson Valley Observation Corp Member Vic Melville; Trails Advisory Committee Member Kathy Nolan; Daily Freeman Reporter Patricia Doxsey; and Department of Environment Director Amanda LaValle

Chairman Loughran called the meeting to order at 5:49 PM.

MOTION NO. 1 RESOLVED To Approve the Minutes of October 8, 2015

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Rodriguez
Discussion: None
Roll Call Vote: No
Voting In Favor: Legislators Loughran, Rodriguez, Ronk and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Carried

Motion No. 2 Resolution No. 437 November 17, 2015

Motion Made By: Legislator Ronk for discussion
Motion Seconded By: Legislator Rodriguez

Text of Motion: Resolved to approve Resolution No. 437 - Amending Capital Project No. 456 – Ulster County Law Enforcement Center Lighting – Department Of The Environment

Resolution No. 437 Summary: This Resolution amends Capital Project No. 456 (Ulster County Lighting Controls for Ulster County Law Enforcement Center) to increase Appropriation #HH.1997.00456-2300.2550 (Other Equipment and Capital Outlays) by \$5,000.00 and Revenue #HH.1997.0456-3500.5710 (Serial Bonds) by \$5,000.00.

Discussion: Director LaValle highlighted this was an amendment to Capital Project No. 456. She noted the original capital project was scoped based on the recommendations from the Sieman’s audit. She stated the total cost for the capital project is \$800,000 and this contract was a first phase to replace energy efficient lighting in the warehouse and recreation pods of the Law Enforcement Center. She stated they worked with Lyme Energy to scope out the project. She reported over the summer, the lighting fixture was recalled twice and they had to rescope the work for a replacement lighting fixture. She stated the new lighting fixture increased the cost by \$1,200. She stated they needed to amend the capital project to have money in the line to pay the invoice. She stated it was her understanding all the expenses were in the capital project and thus would need to remain in the capital project line.

Legislator Rodriguez stated Commissioner of Finance Gulnick reported at the Ways & Means Committee that he would be using bands rather than bonds. Legislator Ronk stated he would be a no on the bond resolution.

Legislator Bartels inquired if the project specifications were so specific that they had to amend the project. Director LaValle replied the specified fixture was indicated in the scope of work as advised by Lyme Energy. She confirmed there was no cushion to pick up the extra cost.

Legislator Bartels asked if this was for just the light fixture or also included sensors. Director LaValle replied it was for both. She noted the project had an 18-month payback in County savings.

Legislator Bartels indicated she would like to have someone explain the band option for an amount that was so small rather than use money in the general fund. She stated she would call Commissioner Gulnick.

Legislator Rodriguez asked if there was a reimbursement component that required it to be in a bond. Director LaValle replied there was no requirement but that as it was set up as a capital project, the money would have to be in the capital project line. Legislator Ronk stated the County could use cash on hand depending on the availability of money.

Legislator Archer clarified the action taken by the Public Works and Capital Projects Committee.

Legislator Ronk and Legislator Rodriguez clarified the difference in the bond and band funding mechanisms.

Legislator Bartels noted if the body was not satisfied with the bond or band options they could amend it on the floor. She reiterated her plan to discuss this with Commissioner Gulnick.

Chairman Loughran sought the will of the Committee to which it was agreed they would move it as is and let Public Works and Capital Projects Committee make the final decision regarding any amendments to the Resolution before session.

Voting In Favor:	Legislators Loughran, Rodriguez, Ronk and Wawro
Voting Against:	None
No. of Votes in Favor:	4
No. of Votes Against:	0
Disposition:	Carried

New Business None

Old Business Director LaValle distributed a handout regarding the charging station usage. She noted the platform used by the County is ChargePoint which offered a number of different data points that were collected. She reviewed the data document distributed. She provided a review of other County's experiences with charge stations.

Legislative Counsel Weiner expressed legal concerns with the New York State Constitution.

Chairman Loughran felt the service should be provided until usage dictated the need for charging a fee. He compared it to distributing the annual Ulster County directories.

Legislative Counsel Weiner indicated he would provide the Legislators with an updated memo regarding the legal issues.

Legislator Greene indicated a relevant analogy was allowing individuals and employees to charge the cellphones and laptops.

Ms. Nolan indicated it should be included as an advertising cost in the Tourism budget.

Legislative Counsel Weiner suggested the Legislators read Section 4 of the Ethics Law before voting on Resolution No. 446. Legislator Greene clarified if she could recuse herself. Legislative Counsel Weiner indicated she not only could but should recuse herself.

Legislator Bartels indicated the analogy of charging phones was new to her. She did not feel it was a tourism advertising cost and asked if they would have to tax employees as an additional benefit. She noted her need to review the memos from the County Attorney, County Comptroller, and the Legislative Counsel to move this forward. She requested Legislative Counsel Weiner provide her with the specified constitution issue.

Old Business: Solid Waste Management Improvement Commission – Brief Update - None

Old Business: Climate Smart Committee – Brief Update - None

Adjournment

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Rodriguez

No. of Votes in Favor: 4

No. of Votes Against: 0

TIME: 6:10 PM

Dated the 12th day of November, 2015

Krista J. Barringer, Deputy Clerk

Minutes Approved on: December 9, 2015