

## Energy & Environment Committee

### Regular Meeting Minutes

**DATE & TIME:** December 9, 2015, Immediately Following the Special Session  
**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:** Deputy County Executive Ken Crannell, Resource Recovery Agency Executive Director Rose, Trails Advisory Committee Member Kathy Nolan, League of Women Voters of the Mid Hudson Valley Observation Corps Member Vic Melville, and American Council Representative Steve Rosario

Chairman Loughran called the meeting to order at 8:20 PM.

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#### **MOTION NO. 1                      RESOLVED To Approve the Minutes of November 10, 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

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#### **Guest Presentation – Resource Recovery Agency Executive Director, Tim Rose**

Resource Recovery Agency Executive Director Rose noted the Agency's finances were looking good. In regards to the Town Agreements, he noted the Town of Marlborough recently expressed interest in an agreement. He stated he contacted and would be meeting with the City of Kingston's Mayor-Elect, Steve Noble, to update him regarding the agreements.

Resource Recovery Agency Executive Director Rose noted it was four years ago this month that the Agency submitted the draft 10-year plan. Legislator Rodriguez reported the Solid Waste Management Improvement Commission had repeatedly sent letters to the DEC requesting the comments on this plan and even spoke with them directly to request the comments when they presented to the Commission. Resource Recovery Agency Executive Director Rose noted it was

at that meeting that the DEC representatives promised the comments would be received in July. He noted it was now December.

Resource Recovery Agency Executive Director Rose noted the terms of two Board member was expiring this month. Legislators Ronk and Rodriguez confirmed the Legislature was aware of this and working on new appointments.

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**Motion No. 2                      Resolution No. 457                      December 15, 2015**

**Motion Made By:**              Legislator Rodriguez

**Motion Seconded By:**      Legislator Wawro

**Text of Motion: Resolved to approve Resolution No. 457** - Adopting Proposed Local Law No. 14 of 2015 (A Local Law Prohibiting The Sale Of Personal Care Products Containing Microbeads In Ulster County)

**Resolution No. 457 Summary:** This Resolution adopts Proposed Local Law No. 14 of 2015 by the Ulster County Legislature, and, pending the approval of the County Executive, will be assigned a local law number consecutive to the last local law adopted and approved in 2015.

**Discussion:**

Legislator Ronk noted the comments received at tonight’s public hearing on Proposed Local Law No. 14 of 2015 and indicated he was not in favor of moving forward without first taking these comments into account. He noted there was no time restriction that would require pushing the adoption of the law immediately following the public hearing. He stated there was ample time to adopt the local law next year.

In response to questioning from Chairman Loughran, Legislator Wawro indicated she was fine with moving forward with the adoption of the proposed local law.

**Voting In Favor:**              Legislators Loughran, Rodriguez, and Wawro

**Voting Against:**              Legislator Ronk

**No. of Votes in Favor:**        3

**No. of Votes Against:** 1

**Disposition:**                      Carried

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**Motion No. 2                      Resolutions No. 471, 472, 481                      December 15, 2015**

**Motion Made By:**              Legislator Ronk

**Motion Seconded By:**      Legislator Rodriguez

**Text of Motions:              Resolved to block and approve Resolutions No. 471, 472, 481** -

**Resolution No. 471:** Confirming Re-Appointment Of Member To The Fish And Wildlife Board

**Resolution No. 471 Summary:** This Resolution confirms the re-appointment of Thomas J. (TJ) Briggs as the Legislative Representative to the Fish and Wildlife Management Board for a term to from January 1, 2016 through December 31, 2017.

**Resolution No. 472:** Confirming Re-Appointment Of Member And Appointment Of Alternate Member To The Fish And Wildlife Board

**Resolution No. 472 Summary:** This Resolution confirms the re-appointment of Mark Loete to the Fish and Wildlife Management Board and the appointment of Thomas Raffaldi as an alternate sportsman representative to the Fish and Wildlife Management Board.

**Resolution No. 481:** Establishing The Ulster County Legislature As Lead Agency Under The State Environmental Quality Review Act (SEQRA) For The Installation Of A Solar Project On The Ulster County Resource Recovery Closed Landfill In The Town Of Ulster – Department Of Planning

**Resolution No. 481 Summary:** This Resolution declares, pursuant to 6 NYCRR Part 617.6(b) (3) of the Regulations pertaining to Article 8 of the Environmental Conservation Law of New York State (SEQRA), the Ulster County Legislature’s intent to serve as Lead Agency for the above recited project, that it has determined, after review of the criteria contained in 6 NYCRR Parts 617.4 and 617.5, that the project is an Unlisted Action, that it will conduct a coordinated review and circulate its Notice of Intent to serve as Lead Agency, together with the EAF and accompanying documentation to all interested and involved agencies pursuant to 6 NYCRR Part 617.6(b) (2) (i) and 6 NYCRR Part 617.6(b) (3), and that, pursuant to 6 NYCRR Part 617.6(b) (3), at the conclusion of an otherwise unchallenged thirty (30) day period following the date of transmittal of the Notice of Intent, the EAF and documentation aforesaid to the interested agencies, the Legislature shall become the Lead Agency under SEQRA for this project.

**Discussion:** None

**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

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**Motion No. 4                      Resolution No. 485                      December 15, 2015**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Wawro

**Text of Motion: Resolved to approve Resolution No. 485 - Urging The New York State Department Of Environmental Conservation To Assume Lead Agency Status For The State Environmental Quality Review Process For The Pilgrim Pipeline Project**

**Resolution No. 481 Summary:** This Resolution urges the Acting Commissioner of the New York State Department of Environmental Conservation to reject the request by the New York State Thruway Authority to serve as lead agency for the environmental review process and instead, direct the New York State Department of Environmental Conservation to assume the role of lead agency and that the Clerk of the Ulster County Legislature shall transmit copies of this resolution to the Acting New York State Department of Environmental Conservation Commissioner Basil Seggos, Executive Deputy Commissioner Marc Gertsman, New York State Thruway Authority Chair Joanne Mahoney, New York State Thruway Authority Executive

Director Robert Megna, New York State Department of Transportation Commissioner Matthew Driscoll, U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. Congressman Chris Gibson, Governor Andrew Cuomo, New York Public Service Commission Chairwoman Audrey Zibelman, Assembly Member Kevin Cahill, and Senator John Bonacic.

**Discussion:**

Chairman Loughran indicated he was in favor of the resolution but was not sure where he would stand on the issue next month. He noted with rail transportation of oil through the County, the pipeline would be doubling the amount of oil and amount of risk for the residents in the County. Deputy County Executive Crannell noted the oil was not just being sent south but also being brought back up to the distilleries.

Legislator Ronk stated he was supporting the resolution and noted the concern with the Thruway Authority having a financial interest in the pipeline being listed as the lead agency.

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

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**New Business:** Chairman Loughran further discussed the concerns with the pipeline. He felt the industry should not be allowed to do both rail transportation as well as the pipeline as it was a doubling of risk to the taxpayers. He felt they should do only one if they have to do any at all. He stated he would be bringing a resolution to the Legislature next year.

Legislator Ronk stated he would support such resolution as most did not want either and picking the most environmentally sensitive made the most sense.

Chairman Loughran noted the pipeline concern to wells and that the trains would travel through 15 times each day which put the people at risk 15 times a day. He concurred it should be one or the other and would rather “side with safety”.

Ms. Nolan suggested if there would be a look for the least dangerous mode then they should look at trucking as it would be a smaller amount of volume. Legislator Ronk noted the cost associated with the review would make trucking costs exponentially more to the industry and the users.

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**Old Business: Solid Waste Management Improvement Commission – Brief Update**

None

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**Old Business: Climate Smart Committee – Brief Update**

None

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Legislator Ronk applauded Chairman Loughran for his leadership of the Energy and Environment Committee for the 2014-2015 Legislative session.

**Adjournment**

**Motion Made By:** Legislator Rodriguez

**Motion Seconded By:** Legislator Ronk

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

**No. of Votes Against:** 0

**TIME:** 8:38 PM

**Dated the 11<sup>th</sup> day of December, 2015**

**Krista J. Barringer, Deputy Clerk**

**Minutes Approved on: January 21, 2016**