

**MINUTES OF THE ULSTER COUNTY  
ENVIRONMENTAL COMMITTEE  
May 16, 2007**

PRESENT: Brian Shapiro, Dean Fabiano, William McAfee, Hector Rodriguez, Leonard Distel

Also present: Vincent Martello, Andi Weiss-Bartczak, Cara Lee, Andrew Bicking, Deborah DeWan, Pete Robbins, Community Preservation; Mike Bemis, Charlie Whittaker, UCRRA; John Mayle, Elizabeth Askue, EMC; Laura Petit, Secretary

**MEETING CALLED TO ORDER**

Chairman Brian Shapiro called the meeting to order at 6:00pm

**SPECIAL PRESENTATION**

Shapiro introduced Vincent Martello, Marbletown Supervisor, to speak on the Community Preservation issue. He said it started with five communities and now they are approaching the State Legislature to put a transfer tax up to 2% on home purchases which will be earmarked for local preservation. The Senate's position up to now is that local communities should be given the right to make the decision themselves. Martello said that Pataki signed it but the State Senate held up the bill. To date, Red Hook and Warwick have gotten special permission to pass the transfer tax for local preservation. He said local bonding referendums were passed in Gardiner, New Paltz, and Marbletown for community preservation and allows that community to pass a law to enact the tax up to 2%.

Martello said this tax is designed not to hurt the average low income homeowners. Economic assets include local farms which would benefit from this tax. Not one farm in Ulster County will be funded next year. DeWan said communities had past this resolution but only if the enabling legislation was passed by the State enabling communities to do this. Shapiro asked where in the process was this Community Preservation issue. Bicking said there was a state bill sponsored by Marcellino which was in Senate. A regional bill was introduced but only included Westchester, Putnam, Orange, and Rockland counties. Ulster County is not included. He said that originally the national realtors were in opposition, but when local realtors and builders were educated, they tend to go along with the law. It improves the community.

Rodriguez asked have Ulster County could be added to the bill. He asked if the best way to support the bill would be in Assembly, and he would ask Boniciac to add Ulster County to the bill. Bicking said that it would help to get County Legislative support before the end of session in June. He suggested that the County send a clear message to Boniciac and Larkins. Fabiano asked about home rule and the proposed 2%. He asked if there was an assessed median. Martello said it was based on a sale price. DeWan added that the median would be assessed every year. Martello said the tax started at \$380,000 in some towns, and he encouraged careful thought to accommodate growth. It will impact recreation resources and the citizens decide

during the referendum. DeWan said it was based on a town by town assessment and was a one time fee at the point of purchase.

Bartczak asked if figuring on equitability from town to town would mean that Gardiner was probably higher. Martello said the fee statewide was based on a town to town assessment. Shapiro said the median sale price based on assessments from town to town seems fair. He offered to put forth a memorializing resolution to be passed at the June meeting so it could make the State before the end of session. DeWan suggested that the fee is assessed against a countywide median level even though the Towns can still make the final decision. Shapiro asked if one of the other resolutions was available for review so a decision could be made tonight.

Martello suggested that in the resolution, a paragraph is added that the decision is up to the Towns. Shapiro said one of the "WHEREAS" would state up to 2% on homes over the median fair sale price.

Shapiro read the proposed resolution and added "and towns" after County references to preserve, educate and for town planning. Mayle didn't hear Shapiro mention development rights anywhere in the resolution. He felt that it should be added. Martello suggested adding prime agricultural property to Town planning. DeWan said the point about agriculture is good because preservation encourages a global community.

**MOTION** to accept the resolution for Community Preservation was made by Brian Shapiro and seconded by Dean Fabiano. All present in favor.

## **REPORTS**

Shapiro informed the committee that Don Debroski was being recommended for the appointment to the UCRRA Board.

**MOTION** to recommend the appointment of Don Debroski to the UCRRA Board was made by Brian Shapiro and seconded by Dean Fabiano. All present in favor.

Shapiro said that the recommendation will be presented at the Special meeting of the Legislature on May 26<sup>th</sup>.

Bemis presented the 2006 Annual recycling report. He said that he had appointed a team of employees to complete the task, and introduced Charlie Whittaker, Agency Operations Managers. Bemis said the process was streamlined and included towns, businesses, and haulers. He said that the haulers reported this year with the help of the Health Department. The Agency was able to reach large retail generators who work with large brokers. Bemis said the general report has total tons generated in Ulster County, total recycling generated, and the NYS goal of 42%. The goal was established in 1988 and will be the starting point to reach the state goal of 42%. Ulster County ranks 23<sup>rd</sup> out of 66 planning units which is in the top third of the 2004 report. Bemis said he wants the State to give more current updates on how Ulster County ranks in 2006. Distel asked if everyone in southern Ulster County reported.

Bartczak asked about the profit margin for newspaper. Bemis said it was \$65/ton. Bartczak asked if the Agency was breaking even after processing the bales. Bemis said it was a profit. Mayle asked what the cost was to process the material. Bemis said was still a profit even though

Ulster County is not a high volume area. The Material Recovery Facility processed 18,000 tons of which 11,000 tons were sold and the rest of the material was not owned by the Agency. It is just processed at a cost and marketed by another company. The MRF also provides service to the towns and is losing money on glass. Bartczak asked if money from the sale of recyclables was going back to the taxpayer. Bemis said it went back into the revenue line for Agency operations. The good news is that the financial challenges of recycling this year were minimal because of market revenues remaining steady (for the last three years). Bemis presented the Committee with pencils.

Robbins asked if the Agency could help the Hudson Valley Materials Exchange. Shapiro said that the County has been helping and thought the Catskill Conservancy may have a place on Route 28.

Bartczak asked if the County purchased partially recycled materials. Shapiro said he would look into it.

Shapiro asked Bemis about flow control and said the Chairman would like to set up a meeting. Bemis said the flow control law was in the courts for thirteen years. At the annual conference at the Sagamore, NYSWANA held a seminar with two experts who presented the interpretation of the recent decision. The Oneida-Herkimer Authority challenged the 1994 Carbone decision because they had based their budget on flow control. The Agency, like the other counties, is going to watch what other counties are doing. Shapiro asked if there was anything at the state level that was occurring. Bemis said not that he knows of. He added that previously flow control helped pay for landfill closure. Shapiro suggested keeping an open line of communication.

Distel questioned how many closed landfills there were and said the town just passed a resolution to collect methane gas from Wawarsing landfill which would reduce costs to the taxpayers. He has an article on a company that does it. Shapiro said that technology now is for large landfills and Ulster County has two small ones. Bemis said for instance the Town of Ulster is only a 46 acres parcel with a fifteen acre landfill. It is more than eight years old. Judging from the sixteen flares originally installed, and with only six of them active, there is not much methane left. He had spoken to the company that installs flares and said they look for large active landfills. Distel said he studied the tire recycling issue and was hoping a new operation, such as tire recycling, could be brought into Ellenville to help replace jobs. Mayle said there is a use for recycled tires as bumpers, etc.

Robbins mentioned Taylor recycling and said they are quite a “green” business. Bartczak suggested that the Environmental Committee interface with IDA to encourage that type of business rather than bringing in large businesses, Shapiro said it does, but not to the extent that recommendations were forwarded.

Bemis said all the waste in Ulster County, Rockland, and Orange goes to Syracuse, and the Agency spent \$5 million looking for alternatives. Bartczak said zero waste should be reviewed.

## **OTHER BUSINESS**

Shapiro said he had a meeting with staff at SUNY New Paltz about the possibility of PCBs on campus. He asked whether the college will do further testing for school dorms, and said that is

under the purview of the County Health Department. Shapiro said he did try to stress his concerns that this issue should be addressed. Bartczak asked if this was public information. May be that the university did it properly but doesn't allow public access to the records.

Shapiro reviewed the Coalition of Watershed Towns letter asking to clarify the case against Catskill preservation. Young, Summer, and More felt that the DEC should be involved in local character issues including the impact on schools and roads. He reported on a seminar at 7:00pm on May 30<sup>th</sup> for forestry, wildlife, fishing, wetlands, public access and recreations, and on an Energy forum in Woodstock at the Mt. View studio from 11am-5pm.

## **ADJOURN**

**MOTION** to adjourn the May 16<sup>th</sup> meeting was made by William McAffe and seconded by Dean Fabiano. All present in favor.

Adjourned at 7:30 pm.

Submitted by Laura Petit