

**MINUTES OF THE ULSTER COUNTY
SPECIAL JOINT MEETING OF THE
ENVIRONMENTAL COMMITTEE AND
ULSTER COUNTY RESOURCE RECOVERY AGENCY
August 15, 2007**

PRESENT: Brian Shapiro, Hector Rodriguez, Richard Parete, William McAfee, Dean Fabiano
Agency: Dennis Helm, Al Bernadini, Michelle Rodden, Don Debroski, Mike Bemis, Stephen J
Wing, Esq., Tim DeGraff

ABSENT: Leonard Distel, Tracey Bartels

Also present: Charles Whittaker, Laura Petit, Secretary

MEETING CALLED TO ORDER

Meeting called to order at 5:00PM. Mike Bemis introduced the Agency Board members to the Committee. He distributed the proposed 2008 budget. Reviewed MSW and said income/revenue was driven by the volume of waste which was down. The Town waste was down too. The tipping fee for Towns would go up \$3 which is the first time in three years.

Parete asked why the Town of Kingston was separated from the other Towns. Bemis explained that the City did not have a transfer station. He also pointed out that “put-or-pay” agreements with large haulers have helped reduced the arrearages. There was a price improvement with these agreements but the Agency budgeted less tons.

Rodriguez asked what was collected last year. Helm said that year to date for roll-offs, \$104,000 was collected. Bemis said that the last private contract for expanded services would expire January 31, 2008. Bemis noted that services provided to transfer stations are on a level playing field. Denning and Ulster both have the same gate rate.

Parete asked about the pull charge of \$40, and if it was in addition to the tipping fee. Bemis said yes, there is a pull charge and a tipping fee. He said the cost of fuel and landfill fees goes up every year. Recyclables as far as weight has gone up 2-3%, but the market value has gone up significantly to 750,000.

Rodriguez asked about the enforcement officer and what the estimate would be to fund this position, and if it would help increase recycling. Bemis said it couldn't be determined due to revenues driving the volume. He said one of the strongest gains is a \$900,000 debt reserve fund collecting interest at a local bank. He credited the new Controller DeGraff for being able to save funds and bring down standing debt. The financial advisor for the Agency was asked to review the Agency accounts and said the Agency was over funded by \$400,000 in its reserves.

There was a discussion on number 3-7 plastics. Shapiro recommended the Agency issue a press release to inform the public.

Fabiano asked if the employee line included reduction of staff. Bemis said one person left. Whittaker reminded him that a transfer station person had left in New Paltz. Bemis said one manager and one

staff (union) person. Rodriguez asked about the retirement line and if anyone was retiring. Bemis said that Stephen Wing would be retiring. Rodriguez asked about the vacation accrual dropping to zero from \$25,000. DeGraff said it was over budgeted in 2007. Rodriguez noted that in terms of actual, the budget is less. Parete asked if it was the generally accepted accounting principal to capital large projects.

Bemis reviewed the Recycling line and noted that \$25,000 was taken from the pension line and a new position was created to hire a professional person in the office to do research, write grants, design programs. Purchase of a vehicle for the Compliance officer and to assist in public events totaled \$56,000 in programming.

Bemis mentioned that the next Agency meeting would be the third Wednesday of the month. Waste Management would be doing a presentation on railroads. Bernadini said that the Agency is researching alternatives disposal and would ensure the Agency had options in the event of landfill closures.

Parete commented that the addition of personnel was great. Bemis said yearly maintenance expenses have dropped by upgrading equipment. Rodriguez asked about the HHW numbers and if there would be enough for another event this year. Bemis said yes. He also informed the Committee that there was an RFQ to find a safer alternative for the existing leachate collection system. He said that leachate levels at the landfills should be declining and they are not. Wing did add that these are unlined landfills.

Shapiro said the Committee was very pleased with the report. Rodriguez said his only concern was that relations with the rank and file were not good. He understands it could be with the budget issues. Shapiro said he had already spoken to Bemis and will have a meeting with him. Fabiano echoed Rodriguez's concerns.

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PRESENT: Brian Shapiro, Hector Rodriguez, Richard Parete, William McAfee, Dean Fabiano

ABSENT: Leonard Distel, Tracey Bartels

Also present: Ron Aha, Laurie Yacareno, Matthew Ryan, Miriam Strouse, Dennis Doyle, Laura Petit, Secretary

MEETING CALLED TO ORDER

Chairman Shapiro called the meeting to order at 5:30pm. He introduced Aha and Yacareno for a presentation on animal trapping in Ulster County. Aha said his dog was caught in a trap and died in front of his ten year old son. He said the local DEC and law enforcement could not pull the trap off of the dog's neck. The trap was illegally placed on private property. Trapping is unregulated in New York and a trap can realistically be placed anywhere including a state park. The laws in State Assembly are basically asking for "home rule"

Yacareno brought in a trap that was on her property and the neighbor who has young children was not aware that the trap was there. She doesn't feel the same about walking on her property anymore. Shapiro said that there were two home rule bills in Albany. He had received a letter of support from Larkin. Rodriguez made a motion to accept the resolution presented for home rule. Parete said he was not ready to move on the resolution. Felt it should be a state issue and DEC was the expert. He loves animals but doesn't feel that the County has the staff to enforce the law. Shapiro said this resolution allowed the County to make decisions based on home rule.

A proposal by DEC to place regulations to place traps on poles which was just a memorializing resolution to support home rule. Rodriguez asked if the resolution matched state resolutions and if it would be a County rule. Shapiro said yes. Rodriguez said he would support it since it was a home rule decision.

Fabiano said he sympathized with the animal lovers but he was not comfortable with passing the resolution without more information. Rodriguez said this resolution gave the home rule to support State legislation. Mayle said he hasn't heard the problem defined. He asked if it was an enforcement issue or no regulation issue. Shapiro respectfully differed saying that it was a memorializing resolution. Parete said the DEC has different regulations for Nassau, Ulster and Rockland. He said what the Committee needs to do is specify no trapping on State property and that private property owners post signs every 25'. A law specifically for Ulster County will ensure public safety.

Shapiro said the Committee could not do it based on State Environmental Conservation law. Parete said the Committee should be making a decision on what to do, not what should be done. He added that two years ago, he and Hathaway proposed a resolution to determine the size of a buck that could be shot and it was passed as a pilot project for C3-C7 bucks. Fabiano said he was not ready to vote on it and would check with the DEC himself.

Yacareno said that these people will trap illegally and this shouldn't be a concern to insult the trappers. Rodriguez agreed with Shapiro that this resolution is the beginning of conversations not the end result. Parete said that the people formulating this should be professionals not 33 people who do not have the expertise. Rodriguez felt it should be up to the individual municipalities.

Shapiro said it would have to be revisited if there was not a majority vote. Parete said he would research it and bring information to the Committee next month. Strouse asked if the County had any enforcement capability. Shapiro said no. Doyle said that case laws would be based on preempted classifications. He understood what Parete was suggesting by placing specific rules for Ulster County which made more sense and would direct the State to say that within Ulster County the DEC has regulatory authority and a better enforcement process.

Aha said that it could be a referendum to go to a ballot. He said a trap can be put near an elementary school, public park, or cul-de-sac on private property without a permit. Parete said it would be easier to start at the County level and work up to the State. He would like to facilitate a dialogue with hunters and sportsman in the best public interest of Ulster County. If it does happen as politics change, it will be addressed. Rodriguez disagreed with Parete and Doyle. He felt the resolution allowed greater flexibility to the County. He felt that there were other enforcement Agencies such as dog control and law enforcement to help with the law.

CMRR Trail

Shapiro introduced Matthew Ryan. Ryan explained that the herbicide spraying occurred along the rail trail without notification. He has been finding dead animals and many people, including two pregnant women and a man on a respirator had their windows open when the application began. Ryan said there have been sick cats and he hasn't seen a humming bird since the application. Fabiano remarked that this was brought to the Committee and that they were told it could not happen. Shapiro said that manual removal was recommended. Ryan said that he with a group of volunteers had cleared the property of overgrowth and debris. He said that the City had also done some maintenance.

Strouse said if spraying should be required, then notification with return requests should have gone out. Parete asked if it was still considered a railroad if it was County owned. Doyle said it was until it was officially deemed a rail trail. Amy ??? asked what the definition for a railroad or rail trail. She said that the group had cleaned up the area and that CMRR had not taken care of the property in five years.

Doyle said there were charters that granted statuses for railroads and to deal with the title issues, it could continue to exist as a railroad. Congress created a way to continue railroads. Ryan mentioned that with the help of the Bruderhof there were chippers brought in and a cleanup crew.

MS4 Presentation

Doyle presented pictometry and photographs from the ongoing project. He said that the final document would be ready for Committee review then public comment. After public comment, any recommended changes would be incorporated into the document for final presentation to the Legislature. He anticipated this would be done between September and November of this year. There was further Committee discussion on the project.

ADJOURNED

MOTION to adjourn the meeting was made by Dean Fabiano and seconded by William MacAfee. All present in favor.

ADJOURNED 7:45PM

Respectfully Submitted by Laura Petit