

ULSTER COUNTY LEGISLATURE
COMMITTEE

NAME OF COMMITTEE: Environmental Committee

DATE: January 11, 2006

TIME: 6:00 P.M.

PLACE: Library Conference Room, 6th Floor

LEGISLATORS PRESENT: Chairman Shapiro and Legislators Bartels, Distel, Fabiano, McAfee, R. A. Parete and Rodriguez

OTHER LEGISLATORS: Legislator Berardi

OTHERS ATTENDING: Rick Fritschler, Jenny Snyder, David ? and Dietrich Werner (Environmental Management Council)
Jake Weidemeyer (Soil and Water District)
Mike Bemis, Frank Tomaseki, Kevin Roberts, Chairman – UCRRA)
Andrew Ghiorse, public
Allan Wikman, public
Jim Gordon, Woodstock Times

Chairman Shapiro called the meeting to order at 6:00 PM. He invited all departments that report to this Committee to send representatives.

Chairman Shapiro motioned, seconded by Legislator Bartels to nominate William McAfee as Vice Chair. All in favor. No other nominations were made.

ULSTER COUNTY RESOURCE RECOVERY AGENCY

Kevin Roberts reviewed the UCRRA Board activities in 2005. He said they hired a new Executive Director, reduced the budget by 2.5 million and dissolved the private collection business.

Mike Bemis introduced himself and said he also would focus on recycling programs and reducing the budget. He handed out information on Agency activities and tonnages. He reviewed the dissolution of private collection and reviewed the eight year history of debt service fee. He also invited members to visit the Agency's facilities.

Legislator Bartels asked if a meeting of the Environmental Committee could be held at the Agency offices to tour the facility? Chairman Shapiro suggested March.

Chairman Shapiro turned the Recycling Oversight Committee review over to Legislator Bartels.

Legislator Bartels discussed the membership as outlined in the County Law. She proposed reaching out to the various associations to solicit volunteers for the Oversight Committee. Legislator Bartels said if the committee structure is to be changed then the law would have to be amended.

Legislator Distel made the request for HHW collection day to be held in the Wawarsing area because it is so far from the Ellenville area. He offered to advertise the event and felt it would be very beneficial. He also suggested that the capped landfills be considered for a gas recovery project due to the new technology. The project could generate some revenue for the municipalities.

Mike Bemis said that the Town Supervisor of Wawarsing had also asked to hold a HHW event in the town. He would like to work on this with the committee. Legislator Distel said it was a huge area to cover. Mike Bemis said there would be a more aggressive publicity campaign which would include the schools.

Legislator R.A. Parete asked if HHW was funded by grants? Mike Bemis replied that it was a 50% grant which is matched by Agency funds.

Legislator Distel asked about tires and the charge to dispose of them. He asked if tires could be recycled since they were recyclable and it would decrease public dumping. He felt it is too expensive. Mike Bemis did say that tire centers do take residents tires when they buy new ones and the Agency did sponsor a tire amnesty day.

Chairman Shapiro asked if Laura Petit and Mike Bemis would work with Legislator Distel on the issues.

Legislator Bartels asked if we are combining newspaper and junk mail? Mike Bemis said he would check into it but he wasn't sure if the towns had been directed to combine the two materials.

Legislator R.A. Parete presented an appointment proposal for Leon Smith to the UCRRA Board. Mr. Smith is a Board member of the Ellenville Hospital and has experience running a recycling facility. He felt he was highly qualified and motivated.

Legislator Rodriguez said he would like to speak to the candidate and interview him. R.A. Parete would like to make the recommendation for the next meeting. Chairman Shapiro said that in all fairness, there are other candidates who have expressed interest in the position. R.A. Parete said he would like to present it at his caucus to move the appointment.

ENVIRONMENTAL MANAGEMENT COUNCIL

Rick Fritschler, Chairman of EMC distributed information on the MS4 Phase II project. He explained that there are six different parts of the program with very different and detailed requirements (six different target goals and objectives). These are all funded with grants and 'luck'. He said that the stormwater management goards have not been met while other goals (education/public outreach) have been. Local ordinances need to be developed and approved and needs to be done by legal professionals.

Rick Fritschler plans to fund this through the shared municipal funding grant. This is a \$100,000.00 grant that requires a 10% or \$10,000.00 matching fund. City of Kingston Mayor Sottile has offered to provide \$10,000.00 toward this project. This project must be completed by 2008 or the State could implement fines or pull County permit. He feels that Ulster County was setting a leadership example in the State.

Legislator Rodriguez was concerned about the long term cost of the project. This is an extremely large scale project. He checked with other counties that were spending much less money.

Rick Fritschler said that other counties nationwide were further ahead and the New York counties are not spending as much because they are not prepared. Legislator Fabiano said that the Saugerties departments that he is involved with are directly impacted by MS4 and are not going to be able to fully address it on their own. Chairman Shapiro said a long term funding mechanism had to be developed to complete and maintain the MS4 project.

Legislator Bartels asked about Countywide districting. Rick Fritschler said that because stormwater does not recognize boundaries that there would have to be Countywide districting. Legislator Bartels asked if EMC would reach out to municipalities not listed. Rick Fritschler said that all towns have to comply with construction provisions even if they aren't one of the eleven MS4 towns.

Chairman Shapiro motioned, seconded by Legislator Bartels, to put the resolution authorizing submission of a grant application for shared municipal incentive and \$10,000.00 funding on the table. All in favor.

Chairman Shapiro motioned, seconded by Legislator Distel, to accept resolution authorizing submission of a technical grant application by the EMC in the amount of \$50,000.00 from the Catskill Watershed.

Rick Fritschler explained what the grant would be used for.

Chairman Shapiro motioned to accept a resolution authorizing funding for the position of Environmental Engineer. Financial impact discussed. Resolution was tabled.

Rick Fritschler explained that an engineer was needed on staff to provide and sign plans for the Federal and State Mandated MS4 Program.

Legislator Bartels said that previously grants paid for this position without the grant stipulation. Rick Fritschler said he was applying for grants but as a mandated program, it cannot be run a non-dedicated budget line. It has to be in the budget.

Chairman Shapiro suggested that a strong educational program is included to educate members of the Legislature.

R.A. Parete said there has to be a plan on how to fund this position in the future. He supports the resolution but emphasizes the need for a plan to fund the position.

Legislator Bartels felt that this would be a hard sell without a plan for this \$62,000.00 position. She was concerned about support.

Rick Fritschler felt if a fair market rate was charged for this work, the towns would have to pay quite a sum. He said if the town could be invited to a meeting to explain the program, regulations and procedures then towns might be willing to chip in funds. This would then fund the engineer.

Mr. Werner suggested a working meeting rather than just town meetings to develop a means of districting and funding.

Chairman Shapiro thought that was a good idea and a necessary suggestion.

Legislator Bartels was concerned that the resolution may be stopped in committee before the Chairman of the Legislature has a chance to review and respond to it.

Legislator Rodriguez asked how quickly a meeting of the Association of Towns could be arranged. Legislator Bartels said it should just be the eleven towns now.

The resolution for the engineer position was tabled.

Chairman Shapiro motioned to consider a resolution for \$37,500.00 to be moved to the EMC budget for contractual agreements for a series of training sessions in operational procedures for contractors in the MS4 Projects.

R.A. Parete said that Buildings & Grounds and other committees had miscellaneous money that could be spent and Ways & Means felt that each department could “afford to lose the fat” in their budget. The EMC did not have the funding to lose.

Chairman Shapiro motioned, seconded by Legislator R.A. Parete, to move the funding back into the EMC budget (\$37,500.00). All in favor.

Legislator Bartels asked for an informal attendance list to see if all members to the Stormwater Committee were going.

Chairman Shapiro asked if an effort should be made to get interested people and have department heads as ex-officios.

Legislator Rodriguez asked which towns were not sending representatives. Rick Fritschler said the towns are aware of the committee because even towns not represented will call with questions.

Chairman Shapiro asked about the Water Advisory Board. Rick Fritschler said this issue has not been addressed and the Water Advisory Board has not met in 5 years. Rick Fritschler said that the Kelder Center is being closed which is shared with the RSVP program. The building is being closed due to maintenance issues. RSVP will be moved to the BRC. EMC now uses 2,000 square feet, has a greenhouse to raise wetland plants, a parking lot to store EMC vehicles and was prepared to ask for additional space.

Legislator Bartels asked about the time frame. Rick Fritschler said that RSVP was being moved out in February.

Rick Fritschler said he had offered to put \$5,000.00 a year in his budget to do repairs. His offer was refused by the President of the college due to State budget reasons. The President said \$55,000.00 was in the College budget to repair the Kelder building.

Chairman Shapiro called a recess at 7:30 PM.

The meeting reconvened at 7:35 PM. Legislator McAfee left.

SOIL AND WATER CONSERVATION DISTRICT

Chairman Shapiro reviewed the Soil and Water Conservation District appointments for Tantillo and Van Nostrand. He motioned to reappoint two interested individuals to the Soil and Water Board. Tabled.

Legislator Bartels felt that the appointments should be moved forward.

Legislator Rodriguez said that a special meeting could be held to approve appointments rather than waiting until February to make a decision and then take action in March.

Legislator R.A. Parete asked why the appointments could be made tonight. Legislator Fabiano said he wouldn't feel comfortable to make a decision without going to caucus.

Legislator Rodriguez said that the UCRRA appointment was just forwarded to him last night.

Legislator Bartels suggested Monday, January 23, for the purpose of the committee appointment recommendations.

Mr. Werner asked about his appointment to the DEC Region III Open Space Committee. He wanted to know who he should be reporting to. Chairman Shapiro said he could put him on the Environmental Committee Agenda.

FISH AND WILDLIFE PRACTICE BOARD

Appointment of sportsman and landowner who are involved with agriculture or forestry. Chairman Shapiro asked for a resume from Kiegle if he was interested in being on the board. Chairman Shapiro asked the committee to read the DEC memo. Meetings are every other month.

FOREST PRACTICE BOARD

Chairman Shapiro reviewed the board requirements for a three member board. There was discussion regarding changing the quorum requirements since it covers seven counties and using e-mail.

ENVIRONMENTAL EXPO

Chairman Shapiro reviewed the Woodstock Environmental Expo which is being organized by a 17-year old Eagle Scout. He would like to authorize a memorializing resolution recognizing the Expo and the Eagle Scout, Max Edmunds.

Chairman Shapiro motioned, seconded by Legislator Bartels to authorize the resolution. All in favor. Legislator Bartels asked that all committee members be named on the resolution.

Chairman Shapiro motioned, seconded by Legislator R.A. Parete to submit a resolution establishing an Ad Hoc Working Group to discuss issues pertaining to the Esopus Creek and the Gilboa Dam. This resolution will be reviewed by the County Attorney to assure that there are no legal implications.

Legislator Rodriguez asked if a resolution had to be passed. He asked if it could be a motion with a press release.

Chairman Shapiro called upon Legislator Berardi, who felt that a resolution should be passed to assist in the outreach for flood prevention and programs.

Legislator Rodriguez said a resolution would take more time to go through the proper channels.

Legislator Berardi said that the DEP will not shut down the Shandaken tunnel in the event of a flood and it could be catastrophic. He felt it wouldn't be properly addressed or recognized if it wasn't a resolution.

Legislator R.A. Parete felt it could be just as strongly addressed if Chairman Shapiro called a meeting. He also felt the resolution should have gone to the County Attorney first.

Resolution for Ad Hoc Working Group tabled.

CONTRACT AGENCIES – FEDERATED SPORTSMEN AND WILDLIFE CENTER

Legislator R.A. Parete motioned, seconded by Legislator Fabiano to submit a resolution approving funding for printing costs for Ravensbeard Wildlife Center. All in favor. Legislator Bartels asked for language in the first "WHEREAS" for costs associated with printing the "How to Coexist With Bear" pamphlet and to delete the last "WHEREAS".

Legislator Bartels approved resolution as amended and Legislator Fabiano seconded. All in favor.

FERAL CAT POPULATION IN ULSTER COUNTY

Chairman Shapiro reviewed the SPCA program that has spayed 1500 feral cats per year (estimate since 2003) but the funding is going to run out. Julie West, Eric Schneider and Marie Post have been asked to review the Agricultural and Market Law to see if funding could be received from this source.

Chairman Shapiro reviewed the Shawangunk Grassland Refuge which encourage hunting but would ban photographers and increase herbicide use.

Legislator Rodriguez stated that his position would be for the committee to send a written response for the record/at the public hearing that they are opposed to the use of herbicides. Legislator Rodriguez motioned, seconded by Legislator Bartels to send a written response for public comment. All in favor.

Chairman Shapiro brought the Belleayre building project to the attention of the committee. He explained that it has no alternative project as required by State Law.

NO NEW BUSINESS

Legislator Distel suggested that the committee look into petitioning the Ulster County Planning Board to use reservoir water since wells in the Wawarsing area are no longer usable. Legislator R.A. Parete stated that towns are allowed to tap in – Woodstock did. Chairman Shapiro suggested that Legislator Distel ask Dean Palen, Director, Public Health or Dennis Doyle, Director, Planning Department, about the water issue.

PUBLIC COMMENT

Andrew Ghiorse is not working for Sullivan County and due to his work schedule asked that his consideration to the UCRRA Board, be put on hold.

It was suggested that the committee members read the 1993 Solid Waste Management Plan. The efforts to eliminate the net service fee under the current situation, would not happen. The Agency will have to be reorganized.

Alan Wickman commented on the issues the committee discussed and how this committee worked together.

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A motion was made by Legislator Rodriguez to adjourn the meeting which was seconded by Legislator Bartels.

Meeting was adjourned at 8:25 PM, in memory of Jonathan Van Vlack.

Respectfully submitted,

Brian Shapiro, Chairman
Environmental Committee

BS:klb