

ULSTER COUNTY LEGISLATURE
COMMITTEE MEETING MINUTES

NAME OF COMMITTEE: Environmental Committee

DATE: August 16, 2006

TIME: 3:30 PM

PLACE: Ulster County Resource Recovery Agency
999 Flatbush Road, Kingston, New York

MEMBERS ATTENDING: Brian Shapiro, Chairman
Tracey Bartels
Leonard Distel
Richard A. Parete
Hector Rodriguez

MEMBERS EXCUSED: Dean Fabiano
William McAfee

OTHERS ATTENDING: Public
Jim Craven, Past RRA Member
Carey Little, Daily Freeman
Rick Fritschler, EMC
Myra Fedyniak, EMC

AGENCY: Mike Bemis
Catherine Nilson
Leon Smith
Dennis Helm
Arnold Bernadine
Steve Wing, Attorney
Frank Tomaseski, Controller

Meeting called to order at 3:55pm. Chairman Shapiro introduced Mike Bemis, Executive Director presented the 2007 budget; reviewed each line of previous budget for comparison. Informed Committee that surplus equipment had been sold and delinquent accounts collected. He explained a change in tipping fee (increase) with a decrease in special handling fees for non-freon appliances and mattresses.

Legislator Richard Parete asked about the hauling fee on each container, recyclables and garbage.

Legislator Leonard Distel asked about sludge from Napanoch Eastern Facility. If it goes to Agency (here), Mike said it did not.

Mike said that the recycling would go up \$5/ton which is comparable to other Counties such as Orange & Dutchess. Legislature Distel asked about metal (scrap) if the Agency would take it. Mike said that the Agency sorts out metal but doesn't pay for scrap. Legislator Distel asked about tires and revenues for them. Legislator Rodriguez said tires were not only a liability but out of the \$2.50 a tire that the state gets, only .50 cents goes to mitigation. For another committee discussion the Agency will be going at to bid for insurance and the Board has directed Frank T, Controller, to put it in the paper. Most significant change in the budget is for fuel and increases. Legislator Shapiro said that is one thing everyone understands.

Legislator Tracey Bartels asked if the \$2.28 would close the budget enough with the fuel surcharge. Frank T said the fuel surcharge is adjusted monthly. Mike said everyone who uses the system is charged a fuel surcharge.

Discussed sewage sludge and the loss of City of Kingston volume due to new technology.

Legislator Bartels asked about prices on tonnage based on whether it was roll-off or Town of Kingston weight.

Legislator Parete felt the budget was well done. Especially the personnel line, which has gone up everywhere else. Said the board has made a great effort.

Legislator Bartels agreed and commended the Board's work. Had a question on the commercial haulers tonnages falling short (not meeting expectations) Frank T said that is because tonnages have been switched to other categories such as pre-paid tons. Comment on detailed budget under education and safety. Didn't feel that the line did justice to the need for education and compliance which would increase recycling and revenues.

Legislator Rodriguez asked if the electronic recycling would be explained and would go on more frequently. Bemis said he agreed we needed to do more. Chairman Shapiro offered the support of the Legislature for grants. Legislator Rodriguez asked the state audit and if the Agency heard from the state. Chairman Shapiro felt that by looking at the Recycling Oversight Committee, there would be more support. The Board opted to put \$15,000 more into the recycling education and safety line to be approved at their September meeting. Smith said the Board also needed the support of compliance and enforcement.

Bemis discussed the two haulers not recycling and that the Agency is working with the Health Department. Legislator Bartels said if the haulers stopped picking up garbage mixed with recycling, it would make an impression on the residents.

Chairman Shapiro & Legislator Parete asked if the Committee had to vote on the Agency budget. Steve Wing explained that the County had the option to vote, but the Committee could ask for further clarification.

Break @ 5:03

Reconvened @ 5:10

Chairman Shapiro reviewed the Chodikee issue. He said the property owner had contacted him and asked to go along on the “field town” so he could point out where he intended to put his house. Legislator Parete asked about the liens that are expiring. Legislator Rodriguez asked if the County still had his money and asked when it would be removed. Legislator Bartels agreed that the money should be reimbursed ASAP and to start addressing the liens. Also to remind the Committee that the County didn’t want to hold onto the property, but would turn it over to DEC.

Rick Fritschler said he looked at the tax maps which had a public access road and when Mr. Delacorte’s attorney resubmitted a new survey map it erased the road. Also felt a newer construction was encroaching on property. Burt Winnie should re-survey to establish the correct information. Some long time residents felt that was a public road. Fritschler felt the property was over assessed due to wet lands (unable to develop) and should take back property to stop accrual of taxes. Chairman Shapiro asked for some assistance. Legislator Parete offered to call Burt Winnie. Legislator Bartels suggested formalizing the actions.

MOTION: Chairman Shapiro to contact Winnie to re-survey, deed research, contact Treasurer’s office to return money and take title to property and review assessment.

2nd MOTION: Legislator Bartels

All in favor

Re-survey, deed research, return money, take title, and review assessment.

MOTION: Legislator Bartels to reject bid pending Attorney approval.

2nd MOTION: Legislator Shapiro

All in favor

Manna Jo Greene, Friends of Kingston Waterfront

Presentation:

Randolph: Sustainable Living, HR Heritage, Friends of Rondout, Sierra Club, Friends of Historic Kingston, Scenic Hudson

Debra Dewan: Hudson River Heritage

Lowell Thig: Friends of Historic Kingston

Manna distributed a summary of the work that occurred to date. Said that a series of seven meetings were held, several severe issues, traffic, and single use development; over scale (size) and density. Explained that the sewer plant would be at 90% capacity and the site was behind an underwater (aquatic) vegetation sensitive area.

Felt that 1st natural resources should be reviewed; underground aquifers; 2nd growth forest; protect shoreline and increase public access; army corp. of engineers protected wetland.

Pointed out “water celery” areas that actually aerate the water and is an important habitat for shad.

Original proposal was for 2,200 houses at landing and 500 at cove. It has been reduced but slightly. Would increase City of Kingston population by 20%.

Manna group felt that commercial should be inter-dispersed throughout the community and professional building. Should be an example of green building with some protected areas maximizing natural resources.

Suzanne Cahill & David Shuster reports were publicized June 12th. The proposed project has been reduced to 1750 units. However, their web page still shows leveling & development of an aquifer, cleansing area for a primary & secondary aquifers building in carst (limestone).

Paul Ruben is suggesting a very thorough hydro geological study of the area. In a DGEIS, general permission has been requested to build. Sailor’s Cove has done a site specific study.

The waterfront group met with Sailor’s Cove which the developers considered a contemporary design and made some changes toward neo-traditional. Have changed plans back to contemporary design.

Chairman Shapiro asked what Manna was looking for from Environmental Committee specifically.

Dewan said this project goes beyond what a local planning board should be handling. Shapiro asked what resources are needed from the County. Manna said to call for a hydro geological study.

Randolph suggested that Dennis Doyle report on large AVR project be forwarded to the Committee so they could understand the environmental and economic impacts of this proposed project. Felt these were tantamount to gated communities. He felt if it was well thought through it could be an economic asset with tax revenue and employment opportunities. Said the impacts on the antiquated water and sewer system have not been thought out. Cooper Lake is not a bottomless pit. Residential services will be impacted as well. Said the project does not comply with state and federal laws on the books to protect natural resources. County should ask for supplemental environmental impact studies.

Legislature Rodriguez said as Committee Chair Planning Bd., he will ask Dennis Doyle to forward information to the Environmental Committee.

Chairman Shapiro met with Legislator Cahill to acquaint himself with the project and discussed “no net loss of wetlands”. Legislator Rodriguez asked about mitigation of disturbed wetlands. Chairman Shapiro said mitigation is part of the no net loss. Why is Tilcon property not included in study? Felt the dock may be used for trap rock materials if fuel prices keep going up.

AVR seems to be more open than Sailor’s Cove to an informal sit down with waterfront group.

Legislator Parete asked about marina and if dredging was necessary. Randolph said development of marina would be mute if the developers go ahead with the building. It would destroy the underwater aquatic area.

Legislator Rodriguez asked if a marina could be placed on the Tilcon area. Randolph said there is a deep channel and doesn’t threaten the Submerged Aquatic vegetation at all.

Legislator Rodriguez asked about a motion to do a hydro-study, SAV beds. Manna offered to get a list of items of concern to the Committee for next months meeting. Manna asked about UCCC’s proposal to build dorms. Should be interactive with community asking for Committee support.

EMC – conference attendance approval in Montana

Motion: Legislator Bartels

2nd: Legislator Parete

All in favor

Zero cost. Grand will cover it.

2004, 4 grants were received for ms4 projects. Original request was to increase budget to \$16,000 but only \$11,000 was appropriated. Need to amend resolution to show proper amount.

Motion: Legislator Bartels to approve \$5,000

2nd: Legislator Distel

All in favor

Request to fill position ENV-GIS specialist

Motion: Chairman Shapiro

2nd: Legislator Bartels

All in favor

Fritschler discussed information request responses from UCCC and asked how it is impacting work. Auditor is requesting information on capital and inventory and where it is assigned regarding programs.

Legislator Parete received a copy of letter of request for agreement for use of building (office) by EMC and removal of trees etc. There is no time line on when these projects were done or why UCCC would ask for a copy of agreement. Don't they have it? Felt a meeting should be requested with UCCC. Chairman Shapiro said he sent out a letter of request but didn't hear back. Fritschler said a meeting was set up for 8/17 at 11:00 at the college.

Legislator Bartels agreed with Legislator Parete that the tener borders are questionable.

Felt that EMC should respond by asking for letters of refusal to perform projects outlined.

Legislator Parete said requests for River watch were going to EMC. Should be going to River Watch. Legislator Distel said that he wanted to see the original letter from the college. Fritschler said the garden is used in the college's RSVP grant funding and received state recognition. So why if the college asking for justification of the garden.

Legislator Bartels requested a copy of EMC's full budget for Committee. Chairman Shapiro didn't think he received it yet. Said there is a new procedure where it gets

sent to administration then is sent to Chairman so he can distribute for Committee review.

Myra distributed photo essays of projects done at jail and Ulster Landing Park.

Fritschler participates in water quality technical advisory group and Ulster Co has developed 5 year funding cycle \$12,000,000 for use in stream restoration, Ms4 regulation. Water and Soil is entitled to a portion of this funding suggested that since UC was responsible for protecting the City's (NYC) Water supply, they should be charged a user fee. If the 3 counties developed an inter-municipal agreement, then the concept of a user fee can be reviewed.

Legislator Rodriguez reported lingering issues of PCB's at SUNY dorms. DOH is the point people for this cleanup project. Testing still shows residuals of PCB.

Chairman Shapiro - Have working group from that district to review, Legislator Rodriguez, Legislator Zimet, Legislator Felicello

Motion: Legislator Parete

2nd: Legislator Bartels

All in favor

Discussion of Catskill Game Farm and the auctioning of 2000 animals. Farm has history of selling animals to "canned hunts" which was documented by a newspaper in Toronto. Animals sold for medical experiments and as feeders. USPCA is looking for humane disposition of the animals.

Legislator Bartels requested that a letter go out to the Catskill Game Farm. Legislator Rodriguez asked if there is a private management company that would take over the farm.

Motion: Legislator Bartels

2nd: Legislator Rodriguez All in Favor