

10/18/2006 Environmental Committee

Attending: Brian Shapiro, Dean Fabiano, William McAfee, Leonard Distel, Rich Parete, Tracey Bartels, Hector Rodriguez, Myra F, Rick Fritschler, Dedrick Werner, Elizabeth Askue, Mike Bemis, Lisa Cutten.

Meeting called to order at 6:05 pm by Chairman Brian Shapiro.

UCRRA, Mike Bemis distributed tonnage reports. 142,000 tons to date which is 5,000 over budget. Bemis explained that the waste was sent to several upstate landfills which meant higher transportation costs. Explained that the diversion was mainly from metal waste. Activity in the recycling facility (year to date) is on track with previous years and may hit 18,000 by the end of this year. Bemis offered to bring in commodity information. Bemis discussed leachate collection and is looking at alternatives to transporting it. Bartels asked why September was so much higher and remarked that 2004 was so much lower. Bemis said that all of the collection in 2004 looked lower at Ulster but could not explain why New Paltz was so much lower. He said New Paltz was consistent and collection depended on rainfall. Bemis also informed the committee that the agency was using a new engineering firm – Sterling Environmental – at \$17,000 for annual water testing.

Bemis distributed a letter from Agency regarding appointment of agency liaison to oversight committee. Bartels said she spoke to Bemis about appointment and felt that Laura Petit should have been appointed. Bemis said that Steve Wing, Agency Attorney explained that the by-laws said an agent of the Board needed to be appointed. Bartels had the law and said it was not an agent but said a member should be a board member of the agency. Bemis said a member would be a board member. Rodriguez said the issue should be discussed with the county attorney.

Bemis mentioned that the new legislation for new Board Members required training and had package. Bemis also asked how wet systems negotiations were going. Shapiro said that wet systems had not given full proposal. Rodriguez added that negotiations were preliminary.

Parete asked if there was anything on haulers with Health Department? Bemis said the Ellenville hauler has made progress and come in to office to meet with Bemis and Petit. Bemis said the Health Department had submitted a list of 17 haulers but not permit information (copies). Shapiro said if further assistance was needed he could contact Robert Parete. Rodriguez was concerned about what was going on at Agency as far as employees quitting and appointment of a labor union being placed in a management position. Will follow-up with Bemis after the meeting.

Shapiro – next on agenda were issues with auditor and EMC/Lower Esopus River Watch. Invited Lisa D rather than being middle man. Parete asked about \$50,000 grant from Catskill Water Shed – Parete said that the contract manager is asking for further information from the CWC and is holding up funding.

He said that the \$250,000 vehicle coming into the EMC will have to be paid for and the grant monies will not be available even though the County Attorney (Frank Murray) has signed off on it. Shapiro asked to be kept in the loop by Parete and Fritschler and offered to schedule a meeting. CWC attorney is a Town of Olive Person. Shapiro thought a meeting could be scheduled in 3 days. Fritschler said the problem is the truck is needed to do culverts by this fall and the county could experience heavy washouts in the spring if they are not cleaned.

Bartels asked if Mr. Onderdonk had a written response. Shapiro said if there was one he was not copied. Lisa said there had been no communication since October 9th. Bartels asked what the status was of the audit by the Lower Esopus hired CPA. Lisa said she has not been contacted. Allen said there was negative press in the Woodstock Times.

Parete asked if Lower Esopus, a vendor account, is being asked for the same thing every other vendor is asked for? Lisa said it was a different situation based on the nature of the work being done. Rodriguez asked Lisa about bottom line totals. EMC budget is jumping from 1.2 to 1.25. Modifying grant then to 1.3372. County dollars are being spent in the modified to actual. Fritschler said the numbers are not accurate. Found receipts not reflected in Lisa's audit numbers. Instead of subtracting \$100,000 in revenue it was pushed forward (carried) for several years appearing to be \$300,000. Lisa said the numbers she provided were actuals. She has sent a letter requesting 2005 and 2006 – not ten years of information. Rick said he needed to go back 10 years to explain the numbers. Lisa Cutten said written requests for information should be responded to in writing.

Rodriguez asked about expenditures – Fritschler said expenditures went up because grants were 50% matching. Fabiano asked why the auditing was several years behind. Lisa said that the Administration is attempting to get a better handle on the accountability of agencies and be more proactive. Lisa felt that they County needed to hold agencies accountable since the county was accepting the grants. Bartels – Lower Esopus River Watch reached out to verbally or in writing could be overwhelming to receive a letter asking for 10 years of accounting information. Lisa did document phone conversations and verbal communication has not been reciprocated by EMC. She had hoped that the issues at the September 20th meeting would be resolved then. Bartels – request for information sent to EMC (clarified for only two years) is a good thing and suggested that Fritschler prioritize 2005 and 2006 books. Frustrated that since some auditor's staff has stayed the same but only now is the EMC's past budgets a concern. Shapiro said it goes through committee chair and since there is new leadership there may not be as many roadblocks.

Lisa Cutten said her initial request for information was to get an understanding of the “players involved”, subcontractors relationships, etc. How the money flows? She did spread sheet to show why the answers to these questions are needed. Millions of dollars have flowed to Lower Esopus River Watch from local tax dollars. Parete asked if the county is happy with Lower Esopus – why is the fact that they did not file a not-for-profit tax return a problem? Are all the county vendors policed? Someone in Albany said

Ulster County was way ahead with MS4. Rodriguez said his only concern is that an employee who went to Rochester seminar was affiliated with lawn care. He asked if it was normal to have one vendor given this amount of money. Lisa said there were other vendors – social services, mental health.

Shapiro introduced Pat Courtney from Mid-Hudson Energy Smart. She began working on project in 2002 to get the county jail included in the energy program. She could not get the jail into the new construction programs and theoretically \$500,000 was left on the table. Courtney explained the program and its funding. The object in the NYSERDA program is to take the load off the electric grid. NYSERDA offers loan assistance where banks that offer lower interest loans get a 4% supplement. The Kirkland will save \$235,000 in loans during renovations. Courtney appreciated the support of Ulster County and had a list of recent regional projects. Said this region won five out of twelve solar energy awards for municipalities. There are matching grants for homeowners. Courtney said that the City of Kingston library had developed a plan to utilize energy smart technology. Distel said that Ellenville Hospital was putting in two new additions. The ceiling on the incentive for grant money is \$400,000. Courtney said that Mid-Hudson Energy Smart puts on seminars. Shapiro said he had asked Pat Courtney to come speak to the committee so Ulster County could have a cutting edge option for energy savings. Felt Building and Grounds should be involved.

Bartels felt the first step taken by the committee was the September resolution for Leeds silver certification of all municipal buildings. Three committees have approved resolution as well. Rodriguez requested to keep any reporting of energy improvements sent to all committees was appreciated.

Shapiro felt a request for Building and Grounds to receive a similar presentation would be appropriate. He asked if a letter should be sent to Building and Grounds suggesting a presentation. The committee approved.

EMC – Fritschler said the Esopus River Watch did make a mistake by not filing their federal tax returns. Said the accountant they were hiring was asking for \$25,000 which will take funding away from programs. Distributed a brochure with conference information sponsored by Lower Esopus River Watch. Had asked Cynthia Ruiz for (?).

Motion to allow Rick Fritschler and other EMC staff to attend conference made by Bartels, 2nd by Distel – all in favor with Shapiro absent.

Motion to allow EMC staff to go to Learn and Serve Conference made by Bartels, 2nd by Distel – all in favor.

Fritschler said that the harvest of “left over” vegetables was successful. Peppers, Corn, etc was harvested and distributed to several food programs including Angel Food. Rosendale and Chambers participated in a pumpkin and goody bag program that was distributed to two local nursing homes and People’s Place.

Myra said that the EMC was helping create a bird sanctuary and doing other work on the Hudson River. Fritschler said that when UC Highways and Bridges was finished with repairs, he would hydromulch.

Chodikee Lake – Bartels said she had gotten a call from a reporter asking what Environmental Committee has done on this project. She said that there was a paper trail and the Treasurer had received a 2005 letter from the Environmental Committee to not sell the parcel. The Treasurer said the final sale was up to him. Bartels said the request to research deeds and surveys should be revisited. Bartels also added that this is not the Delacourt property but the Chodikee Property. She felt the legislature should aggressively pursue this parcel. Said DEC will purchase property. Did not think the plan presented by Delacorte would effectively protect the property. Shapiro said the committee had “resolved to take a number of steps, including returning Delacorte’s deposit”. The charges that the Environmental Committee has done nothing is not true. The committee is meeting a lack of cooperation from the legislature.

Fritschler said that before the parcel can be put up for tax sale it had to go through the SEQRA process. Bartels said the resolution to keep the property could have passed through the Republican Caucus. The only argument may be financial. Felt the preservation of the environment could also bring in more money. Dedrick Werner said he had lengthy conversations with legislators who would support keeping the property based on factual information given to them about the benefits. Said there are 6-7 acres worth \$30,000 – 35,000 each if county wanted to resell. Werner said that the Black Creek, Plutarch and Chodikee watershed was in a 2002 report of critical areas. His predecessor Mr. Mariello specifically pointed out that the county needed to get more in Sync with the State Open Space and DEC criteria - So no prime open space properties are sold off. Questioned why sale of this property was suppressed?

Distel asked what prime piece of property was not more carefully assessed? Could be very valuable. Delacourt had offered to sell undevelopable portions to the DEC. Rodriguez remarked that the legislature seemed like they wanted to explore subdivision. Bartels said that they wanted the Environmental Committee to come back with a plan. Rodriguez said that the property was valuable based on the Open Space but not as marketable. Felt liens should be disputed. Shapiro asked if the committee was really asked to come back with a plan.

Parete asked that Havranek send out a letter why the SEQRA process was not followed. Shapiro mentioned that Bartels felt the legislature was looking at the issue as a monetary issue. Said if the committee would recommend Josh look into specific plan of action for liens, re-survey the property with access issues and to re-appraise. Fritschler added that this property has been on the tax roles 3 times. Shapiro said the two neighbors had access issues and it was not being worked out.

Bartels felt if the county were to take title to the property, it would be very different because it was to preserve the property and felt federal liens could be lifted. Shapiro felt it was important to present all the information on two fronts to benefit legislators. Title

Search; re-survey; re-appraisal; proposal for tax liens; SEQRA process. Rodriguez felt the most important was a re-appraisal. Bartels felt that letting the buyer engage in clearing the liens could not be time effective.

Rodriguez said that the Legislature made a motion to refer and the "Zimet Plan" was a suggestion to sub-divide off the 5-6 acres of buildable land. Parete said there was no time frame for the referral. Bartels thought it was 30 days and that it was reported that the sale of the property would be in the next packet. Werner said if the resolution was re-submitted for the next meeting it should be passed based on his poll. Parete suggested the time limit be by-passed.

Fabiano made a motion to re-submit the same resolution as last month, 2nd by Parete, all in favor.

Shapiro suggested that Fabiano, Bartels, Rodriguez and himself would work on the presentation. Fritschler suggested that Dorothy Martin be asked to do research on the property. Parete asked if a new deed was submitted just before the tax sale? Fritschler said a new survey was submitted about a week before the tax sale. He also said that the DEC went out and flagged wetlands by Delacourts request and offered to do delineation. Shapiro did not feel that EMC should do the delineation since it was opposed to the sale.

Motion to adjourn by Parete, 2nd by Rodriguez, all in favor at 8:20pm.