

Energy & Environment Committee

Regular Meeting Minutes

DATE & TIME: August 8, 2016

Howard C. St. John Business Seminar Room, Clinton Hall, SUNY Ulster,
Stone Ridge

PRESIDING OFFICER: Chairman Richard Parete

LEGISLATIVE STAFF: Fawn A. Tantillo, Deputy Clerk

PRESENT: Legislators Tracey Bartels Jonathan Heppner, and Mary Wawro

EXCUSED: Legislator Ron G. Lapp, Jr.

QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislator Hector Rodriguez (7:30), Jack Hayes, former Legislator; Bill Ford, Ulster County Historian; Edward Kelly, Executive Director of the Maritime Association of the Port of New York/New Jersey and his wife, Barbara; John Lipscomb, Riverkeeper; David Haldeman, Chariman, Ulster County Environmental Management Counsel; Jordan Christensen, Citizens Campaign for the Environment (CCE); Tom Konrad, Marbletown ECC; Kathy Nolan, Catskill Mountainkeeper; Eugene Hamond, Beacon Sloop Club; Wayne Kochn, RAPP; Bill Irwin; Miriam Strouse, New Paltz Climate Smart Committee; Joseph Barbarito, Climate Action Coalition of New Paltz; Emilie Hauser; Kingston CAC; Edmund Haffmans; J. Curtiss, Health of the Hudson River; Michael Marneu, The Lincoln Eagle

Chairman Parete called the meeting to order at 6:03

Proposed USCG Hudson River Anchorages

Chairman Parete thanked the committee members, presenters and public for attending this meeting and said he was taking the proposed United States Coast Guard (USCG) anchorage grounds out of order tonight. He introduced Ed Kelly from the Maritime Association of New York and New Jersey and asked him to speak to the committee regarding proposed anchorage sites in the Hudson River including several in the Kingston area.

Documents were distributed to the members regarding the Maritime Association's petition for additional anchorage grounds; the USCG notice; letters of support from various maritime organizations; maps that delineated the locations of the proposed anchorages and other information. September 7, 2016 is the deadline for public comment set by the USCG.

Mr. Kelly gave a brief description of the Maritime Association of the Port of New York/New Jersey, describing the operations of his organization, the history of maritime activities in the Hudson River and the Port of NY/NJ, the impact of the industry on commerce and the economy and the qualifications and strict regulations required for Captains and crew members.

Mr. Kelly said that over 260 comments have been submitted on this proposal and was frankly surprised by the attention to a routine request of the USCG.

Mr. Kelly gave comparisons of moving freight by other means such as trucks and rail. He noted that moving freight, especially heavy freight, by water was the most efficient, cost effective, and environmentally friendly and safe means to do so. One small barge can replace 57 trucks or a dozen rail cars. Since 1990 all barges are double hulled and is an exceptionally safe industry operating under the Jones Act. He described the credentialing, training, testing and requirements of crews in great detail.

Mr. Kelley wanted to dispel fears about these anchorages becoming “parking lots” or vessels being used as floating storage tanks. He noted that there is a huge cost associated with salary of crews and vessels sitting idle that benefits no one. Over the past decades vessels have historically used these anchorages in emergencies, heavy weather or fog, ice conditions, when crews need to rest or wait for a berth to load. Clearly no one wants these ships moving in dangerous conditions or low visibility.

Mr. Kelly said the request for more designating anchorages grew from the desire of both the maritime industry and the USCG to formalize usual customs and practice. He indicated that these areas have been utilized as anchorages for years with no know adverse effects on the Hudson River, its views or environment.

Mr. Kelley said the USCG looked at these commonly used anchorages and in an effort to improve safety wanted to formally designate the anchorages in order manage, monitor and supervise them. The USCG, together with Pilots and tug and barge operators who navigate the river daily, looked at locations that would be suitable.

He describe the features of a good anchorage location including sufficient water depth, room for vessels to swing in currents and tide while staying out of the main channel and strong currents. He also said anchorages are needed at regular and convenient intervals.

Mr. Kelly stresses safety concerns about the environment noting the Hudson River is cleaner than it has been in decades. He said the maritime industry are the primary stewards of the river and described regulations regarding fuel emissions, that vessels are forbidden to dispose of sewage, and challenged anyone to document any way the industry is actively polluting the river.

Mr. Kelly told the committee that the only designated anchorage between Yonkers and Albany was adjacent to Hyde Park (Anchorage No. 19-A). It has been reported that the site of that anchorage is the same location in the Hudson River with the highest concentration of Sturgeon. It has been suggested that the scoring of the river bottom by ships anchored there may actually be beneficial to Sturgeon but clearly the ships don’t appear to have any negative impact on them.

In regard to view sheds, Mr. Kelly noted that people who live near airports expect to see airplanes and people who live along the Hudson River can expect to see and may even enjoy seeing these vessels. He detailed that only one to 4 vessels might be anchored at a time up river.

Legislator Bartels questioned Mr. Kelly’s statement that the USCG wanted to formalize these anchorages that have been routinely and customary for years, yet a 2015 letter from the USCG cited complaints about vessels being anchored at these sites only of late.

Mr. Kelly said the USCG recently began a nationwide campaign to formalize anchorages that were being routinely used for decades. Sometimes people object to lighting and other complain that they are not lit. He explained that they always use navigational lights and they often run generators. They briefly discussed the issues of lighting and noise. Mr. Kelly said the tugs and generators make about as much noise as a diesel truck.

Legislator Bartels asked how long a vessel might be anchored. Mr. Kelly explained that most are “short term” anchorages with a 12 hour limit unless the vessel is waiting for an engine part or something but nothing is formally in writing or in the regulations. The USCG “flushes” vessels out of these short term anchorages after 12 hours and the industry encourages quick turnover.

Legislator Heppner thanked Mr. Kelly for taking the time to come and explain the issue. He voiced concern about the lack of public hearings and the feeling that making written comment on a website was not adequate. He detailed the long history local residents have with the Hudson River and how the local communities have overcome the misuse of this resource by various industries in the past. He spoke to the point that Mr. Kelly made about the USCG wanting more oversight, but noted that Ulster County is also thruway for CSX trains and local first responders know they are not equipped to handle an accident involving the toxic materials carried on CSX trains or one that involved these vessels in the Hudson River. He questioned what assurances, support, plans and/or protocols were in place to respond should an accident happen.

Mr. Kelly said he had no control of public hearings. USCG would make that determination after this first preliminary discussion.

Mr. Kelly agreed there has been corporate abuse in the past but noted it had routinely been shore based and did not involve the maritime industry. He said the double hulled vessels shipping oil in the river are far safer than the CSX single walled train tankers and is much safer than trucking.

Mr. Kelly said the best reaction to an accident is not to have one and that is why these anchorages are needed. These ships need a place to get out of dangerous situations in low visibility or other dangerous conditions. He discussed the rigorous regulations and training crews must have to certify before they can operate and the criminal ramifications that go beyond crews to the Presidents and CEO’s of the transportation companies if they fail to meet these safety standards.

Mr. Kelly told the members about State and National response teams ready to react to an accident and recommended local first responders coordinate training efforts to interface with the State and Federal first responders and do joint exercises as they do in the Port of New York. He used the example of the 2009 US Airways plane crash in the Hudson River and the quick response that saved all of the 155 people on board saying that effort grew out of years of practice and training.

Chairman Parete then introduced John, Captain of the Riverkeeper. Capt. Lipscomb went on record to praise the professionalism of the maritime industry and the crews of the tugboats and other Hudson River vessels. He said this discussion about anchorages was difficult and felt unusual not to be on the same side with the maritime industry on this issue. He has the greatest respect for the maritime industry but Hudson River comes first.

Capt. Lipscomb first described two designated anchorages in the lower Hudson –anchorage no. 17 in Yonkers and anchorage no. 19-A near Hyde Park. The use of the undesignated anchorage between Rhinecliff and Port Ewen is what prompted this proposal. The Riverkeeper has “spotters” that document the movement of ships in the Hudson River. The use of local undesignated anchorage did not occur often before 2012 when the need developed for north bound vessels to wait for dock space to pick up Bakken crude oil in Albany. He felt that Bakken crude oil was at the heart of this issue and if these ships were needed to ship extra crushed stone we would probably not be having this conversation

Capt. Lipscomb explained how ships began to anchor in the area of Kingston due to the narrower channel between Kingston and Albany that doesn’t allow room for the ships to swing with the tide and current when at anchor. This area is called the “Kingston Hub.” Capt. Lipscomb shared photos of

ships with “stadium lighting” and told the committee that people who lived in Port Ewen and Rhinecliff began to complain about the lights and noise of these vessels.

Capt. Lipscomb said at first the USCG politely said this was not their problem. The residents then pointed out that these are not designated anchorages and therefore these ships were in violation of regulation 33 CFR 110.155 (1) (2) which states “Except in cases of great emergency, no vessel shall be anchored in navigable waters of the Port of New York outside of the anchorage areas established in this section...”.

In November of 2015 the USCG issued Marine Safety Information Bulletin (MSIB) 2015-014 making note of this violation and also states that “The Coast Guard has received reports of commercial vessels, including tugs and barges, anchored outside designated anchorage areas along the Hudson River...” and made it clear that the ships should no longer anchor in the Kingston Hub area.

Capt. Lipscomb felt that we would not be having this discussion if the ships that were anchoring illegally near Port Ewen had just use navigational lights and sat quietly at anchor rather than running generators all night for the “stadium lighting”. He emphasized that the USCG put out this “advanced notice of proposed rulemaking” to test the waters at the request of the Maritime industry. He said any implication that these anchorages are needed for anything more than the transportation of Bakken crude oil and ethanol are disingenuous.

In response to MSIB 2015-014 the Maritime Association of the Port of New York/New Jersey outlined the need for additional anchorages in a letter to RDML Linda Fagan, USCG District Commander dated January 21, 2016. The letter stated “For several years the United States of America has developed as a major energy producing nation and the great port of Albany as a leading export port for Jones Act trade of American Bakken Crude Oil and Ethanol. Trade will increase on the Hudson River significantly over the next few years with the lifting of the ban on American Crude exports for foreign trade and federally designated anchorages are key to supporting trade.”

The USCG will take comments into consideration and could move ahead with this proposal, modify the proposal or throw it out. Capt. Lipscomb suggested that this is the time for the community to put forth any and all concerns. He believes the USCG deserves our respect for reaching out to the public and the maritime industry in this way. He said this was a stark contrast to what happened in 2012 when the State of NY, Governor Cuomo and the DEC allowed the though put of petroleum products in the Port of Albany to go from 450 thousand gallons/year to 3 billion gallons/year with not public hearings or public comment.

Capt. Lipscomb noted that the need for the anchorages is not clear and has not been demonstrated to the public. Existing anchorages in Yonkers and Hyde Park are never full while there are often up to three vessels anchored illegally in the Kingston hub. Capt. Lipscomb felt that would not have been a problem except for the lights and noise. He said local people fear that when these are designated anchorages the problems with lights and noise will be exasperated.

Riverkeeper has a ship spotter in Poughkeepsie that keeps track of ship traffic. Capt. Lipscomb gave several examples of ships passing Poughkeepsie at night or early in the morning. Claims that anchorages are needed in the Kingston hub so ships don’t have to navigate the upper river at night are deceitful because ships travel through that section at night on a regular basis. If traveling in that section was a problem there are other solutions besides anchorages. The ships anchored in Kingston stay for days waiting for mooring in the Port of Albany.

Capt. Lipscomb felt that the public would not have a problem if the discussion was to create anchorages to be used in the event of emergencies with the approval of the USCG. That is how they were used during Hurricane Sandy. Emergency use only would have Riverkeeper's support and no one would object. Only once has he seen ships anchored in the Hudson River and that was during Hurricane Sandy when Captains were told by the USCG to do so. When there was an emergency the USCG had no problem using the anchorages.

Capt. Lipscomb said there is a big difference between today's protocol of the authorized emergency use of anchorages only and what is being proposed. The question becomes "What is driving the need for this vast increase of berths?" Capt. Lipscomb noted that when the industry claims they suddenly need them for safety because they don't want to transverse the upper river at night, and we know that is not true and this "untruth" makes us question the veracity of other statements from the industry.

Capt. Lipscomb said the obvious answer is the vast increased traffic for the transportation of Bakken crude oil is driving this request and that raises many other questions and concerns including environmental, emergency response, homeland security, socio economic and quality of life issues. He feels the industry is passing on the potential problems they create to the Hudson River communities who have no direct benefit from the industry.

Capt. Lipscomb said the public is at a different point than the industry. He noted that today people view the Hudson River very differently than they did in Henry Hudson's time or even in the beginning of the last century. He noted many individuals and organizations no longer view the Hudson River as just a commercial resource. They worked to clean up the Hudson River and view it as a recreational area and appreciate its environs and habitats and would not want to see it put at risk from the transportation and storage of crude oil. He also noted that 20 million people outside New York City do not profit from the crude oil industry.

Chairman Parete pointed out that most of those 20 million people use oil products.

Capt. Lipscomb agreed on face value but noted that this additional Hudson River transportation of Bakken crude oil did not begin until 2012. He feels the industry should support itself and pay for the added risk that we face locally.

Mr. Kelley noted that these ships carry large insurance policies.

Capt. Lipscomb said the industry that profits from the shipping of Bakken crude oil doesn't cover the cost of a spill. He felt the industry should be required to be proactive and provide equipment and training to insure local authorities and first responders are prepared and have the necessary tools to deal with an accident.

Capt. Lipscomb noted that for decades there has been a ban on exporting crude oil but this ban will soon be lifted. When that happens and the price of oil increases, this crude oil will be shipped all over the world and the amount of crude being shipped through the Hudson Valley by barge, by train, by truck or whatever method possible will all increase dramatically. He discussed the spill records in ports like Galveston and other ports that move large volumes of crude oil. The record shows there is a corresponding increase in spills. He warns that the Hudson River communities are not currently prepared to deal with these potential spills.

Capt. Lipscomb understands that we all use oil products and pointed out that the industry needs to move crude to refineries. He noted that the industry has other options that range from pipelines to

building a refinery in North Dakota where the crude originates, but the industry is not willing to slow down long enough to accomplish those long term solutions.

Capt. Lipscomb reported that about 25% of the crude oil being pumped from the ground in North Dakota is being shipped down the Hudson River and the Hudson River communities at risk from this transportation see no direct benefits yet they carry most of the danger. He has worked with USCG NYSDEC, NOAA and they are making a good faith effort to increase response capabilities. He detailed how they researched and charted Hudson River tributaries and unique environmental features and calculated how much boom would be necessary to protect those shore lines should a spill occur but recognized local response teams are unprepared.

Capt. Lipscomb discussed how dangerous a spill in the Hudson River is and detailed a recent spill caused when a barge hit the Tappan Zee Bridge. The Bridge was only 25 nautical miles from the NYC response team – the largest response team in North America. For the first time the response team was able to deploy over 14,000 feet of boom in an effort to protect the Piermont Marsh, the problem was it was 36 hours too late. He gave examples of other recent spills including one in the Mississippi River that was considered “small” where 36 thousand gallons of crude oil spilled and only 90 gallons recovered. He said that if a spill occurs in the Hudson River today, officials recognize that they will respond but they will not be able to recover any oil. Bakken oil will sink and is not recoverable. It is carcinogenic, mutagenic and combines with mud on the bottom and will destroy about 50% of the biodiversity of the river, especially bottom feeders.

Mr. Kelly noted the Tappan Zee spill occurred as part of the reconstruction efforts on that bridge and was not related to shipping fuel. He noted that scientist is still researching the impact of the anchorages on Sturgeon. It may turn out that the river bottom scarring caused by the anchorages is beneficial to Sturgeon. If not, the anchorages will be moved. He was not prepared to discuss the future of fossil fuel in the United States, the maritime industry provides a service for whatever product needs to be shipped and has a long record of doing it in an affordable and safe manner.

Mr. Kelly said the maritime industry is only concern in this anchorage proposal as it relates to the safe operation of vessels in the Hudson River. He is not here to debate fracking or the pro and cons of fossil fuel vs other energy sources. His only concern in this discussion is that Hudson River vessels have a safe place to anchor when they need to anchor.

Capt. Lipscomb agreed that safety is everyone’s first concern. He reiterated that vessels can anchor when they need to today. He feels that we are not getting the full story on the sudden need for formal anchorages and the problems that come with them. He noted that these are long term anchorages and the oil industry has a history of using these ships for storage when they need the space. He gave example of it being done elsewhere.

Chairman Parete let several guests make statements and ask question. Most of these questions and statements regarded potential oil spills and the need to find alternative to fossil fuel.

Mr. Ford discussed the potential damage to the tourist industry and quality of life these anchorages will cause. He provided a handout that showed a cargo vessel anchored in the view shed of a beach. He distributed a petition opposing the proposed anchorages that he will be collecting signatures on.

Ms. Straus noted the Pilgrim Pipeline includes plans for a lateral pipeline from the main line to the Hudson River including one in Orange County and these anchorages may be the first step toward creating a shipping hub like the one in Albany in various locations along the Hudson River. She asked

Legislators to be aware of this potential. She wanted to emphasize the point that our communities have invested a great deal in restoring the Hudson River.

Legislator Heppner thanked Mr. Kelly and Capt. Lipscomb for their presentations. He acknowledged the need for safe anchorages in emergencies and asked Mr. Kelly if these anchorages would allow ship to anchor when there was not an emergency such as a scenario in which ships were simply waiting in the queue for dock space in Albany.

Mr. Kelly said that could potentially happen but was not likely due to the expense of operations and crew. He reiterated that ships only make money when they are moving and if they know Albany is "backed up" would simply stay in the NY harbor with minimal crew expense. He noted that on rare occasions there could be an unexpected delay that might come up but as a general rule ships would not anchor here to wait for space in Albany.

Capt. Lipscomb disagreed. He said that the reality is that only north bound vessels ever anchor in these areas and was adamant that no south bound vessels ever anchor in the river. He said the big bulk carriers anchoring near Hyde Park are empty and waiting for a berth in Albany. He said they may be waiting on the tide, they may be waiting for a berth in Albany but they are waiting to go north and north only. All the vessels that brought the ire of the community in Rhinecliff and Port Ewen were empty vessels waiting to go north and they were all shipping oil.

Legislator Bartels asked for clarification about the length of stay at these anchorages. She noted Mr. Kelly said ships can only anchor for 12 hours or less but Capt. Lipscomb implied they anchored for days.

Capt. Lipscomb said the residents of Rhinecliff, Hyde Park and Esopus can testify that the ships anchor for days at a time.

Mr. Kelly said they are in non-regulated anchorages and that is why we need to create regulated anchorages that will give the USCG the ability to monitor them. Right now there is no regulation and people do what they want.

Legislator Bartels asked if Mr. Kelly was saying with no regulated anchorages it is "the wild west"? She questioned the fact that the (USCG Marine Safety Bulletin MSIB 2014-014) quoted regulations (33CFR 110.155(1)(2)) saying these ships could not anchor "except in cases of great emergency" outside designated anchorages and wasn't that why the Marine Association requested designated anchorages in the first place?

Mr. Kelly said the best way to control where ships anchor is to have regulated anchorages. Right now they can anchor and stay where they want for as long as they want.

Capt. Lipscomb noted that the USCG was aware that ships were anchoring in these undesignated areas and did nothing about it even when people complained because they don't have the staff or equipment to handle that. The idea that the limited USCG staff in Saugerties will monitor these anchorages is not a realistic expectation.

Mr. Kelly wanted it stated on the record that he believes the USCG does a great job and he holds them in high regard. He objected to any implication that the USCG would not enforce their own regulations.

Chairman Parete thanked both Mr. Kelly and Capt. Lipscomb. Mr. Kelly said he was available if the committee or the legislature had any other questions and would gladly come back for future meetings.

Plastic Bag Legislation

Legislator Bartels explained the impetus for plastic bag legislation and turned the discussion over to Jordan Christensen from the Citizens Campaign for the Environment and Tom Konrad from the Marbletown ECC.

Ms. Christensen described the problems of plastic bag waste and emphasized the goal is not to substitute paper single use bags for plastic bags.

Ms. Christensen described various legislative approaches including outright bans with educational components to charging a fee for single use paper or thicker bags. She detailed the success of these approaches in various locations across the state and the nation. In general, communities that charge a 5 or ten cent fee can expect a 60% reduction in single use plastic bags. Efforts vary from place to place depending on factors such as educational components.

Ms. Christensen feels the public supports and outright ban that just removes the bags completely. She warned that often when there is a fee charged people complain that it is like an added “tax” and that requires additional explanation and education. On the other hand, retailers often prefer the fee because it allows them to offer bags to customers.

Mr. Konrad described the Town of Marbletown’s efforts that began after the Village of New Paltz adopted their plastic bag ban a few years ago. This involved polling retailers and the public, doing research on various approaches and holding a workshop to confer on the best approach. The Town will be considering legislation but will also consider a resolution asking the County to consider county wide legislation.

Legislator Heppner mentioned some New York State (NYS) municipalities are considering a fee for plastic bags that would go to the municipality. In New York City (NYC) similar legislation was challenged saying that fee was de facto a tax that would require state approval. He asked if Mr. Konrad or Ms. Christensen had any thoughts on that.

Ms. Christensen attended many of the hearings on NYC legislation and felt the issue was primarily an internal political issue between NYS and NYC. The subsequent legislation was intended to just apply to cities but was worded broadly and may apply to all municipalities. She anticipates it to be reworded in the next state legislative session. Right now any fee would have to go to the retailer.

Chairman Parete said he personally supports a ban at the state or county level. He spoke to one local retailer who felt a ban at a town level would have a negative impact on small businesses like his. He felt a broader ban state or county wide would level the playing field.

Chairman Parete also suggested that such a ban and fee scenario should be done in stages for an easier transition for the public. Sometimes people just forget to bring a bag and need to develop the habit.

Chairman Parete suggested the County partner with someone like the Ulster County Resource Recovery Agency and print up several hundred reusable bags to distribute as part of the educational component and getting the word out about a ban.

Legislator Bartels recalled previous discussions about a ban and fee. She agreed that the goal is to reduce and ultimately eliminate single use bags not simply trade single use paper bags for plastic. She felt the ban on plastic and the fee for paper would not put an undue burden on retailers to provide a more expensive bag. She also forgets to always carry reusable bags and agreed that charging a fee, even a small one, would help people develop the habit of carrying reusable bags.

Legislator Heppner pointed out that many retailers that are environmentally mindful have self-regulated and don't use Styrofoam or plastic bags and plastic products. He asked how a ban might work with specialty retailers like hardware stores who use clear plastic bags for customers to pick out one or two bolts.

Ms. Christensen said some municipalities have a ban on all plastic bags and some make their laws apply only to businesses who primarily sell food and apparel. She gave examples of fish markets, liquor stores, produce bags, bags for poultry and meat, bags for dry cleaning and other exemptions where there is a logical need for plastic bags.

Mr. Konrad said most of the legislation refers to "bags provided at checkout" and would not apply to bags products are packaged in.

Legislator Rodriguez noted the experience of the Village of New Paltz. Most of the retail grocery stores are outside the Village and the ban on plastic does not apply to them. He supports an county wide ban and urged the committee to move quickly on drafting legislation.

Chairman Parete felt that it is important to draft something with forethought and take the time to reach out to retailers and garner support from fellow legislators. He suggested the committee look at examples of other laws and see what would work best for Ulster.

Legislator Wawro has received positive feedback on the idea of a ban and feels a county wide regulation would be fair.

Mr. Konrad wanted the committee to also be aware of research on the practice of offering a discount or credit to customers who supply their own bags like grocery stores that take off 5 cents for every reusable bag a customer supplies for themselves. He said research indicates this not effective.

Ms. Christensen said another issue to be aware of in this discussion is suggestion to recycle. Recycling rates for plastic bags are abysmal – less than 5%.

Legislator Bartels reminded the committee of the tours the Solid Waste Improvement Commission made of solid waste facilities throughout the state. She said plastic bags are a problem at all of these facilities. She liked Chairman Parete's suggestion for the county to print and distribute reusable bags.

Ms. Christensen suggested that if the county does print reusable bags they consider holding a contest to have children design the bags. The contest becomes another educational component to understanding the legislation. A discussion ensued.

Legislator Bartels said she will bring a sample of legislation to the next committee meeting to discuss what they think will work best.

MOTION NO. 1 RESOLVED To Approve the Minutes of July 11, 2016

Motion Made By: Legislator Heppner

Motion Seconded By: Legislator Wawro

Discussion: None

Voting In Favor: Legislators Parete, Bartels, Heppner, and Wawro

Voting Against: None

No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Minutes approved as presented

Motion No. 2: To consider Resolution 358 to 362 as a block

Motion Made By: Legislator Bartels

Motion Seconded By: Legislator Heppner

Discussion: Legislator Bartels said normally she prefers to take each resolution individually but because the meeting ran so long and these resolutions are all regarding County Executive reappointments to the Environmental Management Council there was no need to discuss them in detail

Voting In Favor: Legislators Parete, Bartels, Heppner and Wawro

Voting Against: None

No. of Votes in Favor: 4

No. of Votes Against: 0

Disposition: Motion carried

Motion No. 3: To Approve Resolution No. 358 through Resolution No. 362

Resolution No. 358 - Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirming the reappointment to the Environmental Management Council made by the County Executive of Virginia Stark, Hurley, NY, for a term from the present through June 30 2019

Resolution No. 359 - Confirming Appointment Of A Member To The Environmental Management Council

Resolution Summary: Confirming the reappointment to the Environmental Management Council made by the County Executive of Kristen Schara, Hurley, NY, for a term from the present through April 30, 2019

Resolution No. 360 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: Confirming the reappointment to the Environmental Management Council made by the County Executive of Mary O'Donnell, Saugerties, NY, for a term from the present through July 31, 2019.

Resolution No. 361 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: Confirming the reappointment to the Environmental Management Council made by the County Executive of Emily Hauser, Kingston, NY, for a term from the present through June 30, 2019.

Resolution No. 362 - Confirming Reappointment Of A Member To The Environmental Management Council

Resolution Summary: Confirming the reappointment to the Environmental Management Council made by the County Executive of Jim Littlefoot, New Paltz, NY, for a term from the present through June 30 2019.

Motion Made By: Legislator Heppner
Motion Seconded By: Legislator Wawro
Voting In Favor: Legislators Parete, Bartels, Heppner and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Resolutions adopted

Motion No. 7 – To approve Resolution No. 365 – Opposing the Re-License Of Certain Nuclear Generating Units

Resolution Summary: Urging the United States Nuclear Regulatory Commission to not re-license Indian Point reactors 2 and 3 and for both the Federal and New York State government to work with affected workers, local officials, and environmental groups to develop and implement a socially, economically, and environmentally equitable transition plan to address the needs of displaced employees, local communities and ratepayers.

Motion Made By: Legislator Heppner
Motion Seconded By: Legislator Bartels

Discussion: Legislator Heppner has discussed this legislation with members. The lease is due to be renewed. The wording of this resolution was careful to just address creating a plan to transition to closing at some point. The 20 year extension just pushes the problem of closing the plant down the road. He felt it is important not to delay the creation of a closure plan for another 20 years.

Legislator Bartels agreed and was pleased with the language Legislator Heppner developed.

Chairman Parete asked what the feedback was from local community.

Legislator Heppner said that to date the discussion has been for the plant to be open or closed. There has been little discussion about a transition, how the problems that will impact that community can be mitigated, retraining of workforce as well as the environmental impacts of closing a nuclear plant. This resolution supports bringing dozens of agencies and agendas together to create a transition plan.

A discussion ensued about nuclear energy, home rule, Ulster County's proximity to the plant and how to transition to other energy and memorializing resolutions in general.

Voting In Favor: Legislators Parete, Bartels, Heppner, and Wawro
Voting Against: None
No. of Votes in Favor: 4
No. of Votes Against: 0
Disposition: Resolution adopted

New Business:

- **Climate Smart Committee:** A report was distributed detailing the efforts of the Climate Smart Committee.
- **Solid Waste Improvement Commission** is continuing progress on the final report.

Old Business:

Chairman Parete asked if there was any other business, hearing none

Adjournment

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Wawro
No. of Votes in Favor: 4
No. of Votes Against: 0

Time: 8:28

Respectfully submitted: Fawn Tantillo, Deputy Clerk
Minutes Approved: September 12, 2016