

**GREEN COMMITTEE
AGENDA
MONDAY JUNE 24, 2019
2:15 P.M.**

PRESENT: Kathy A. Stegenga, Chairwoman
Leigh J. Benton, Barry J. Cheney, Kevindaryán Luján,
David Church

ALSO

PRESENT: Katie Bonelli, Majority Leader
James M. Kulisek, Legislator
Antoinette Reed, Legislative Counsel
Kelly Morris, Senior Planner, Planning Department
Kate Schmidt, Planner, Planning Department
Michael Helm, Sustainable Warwick

Chairwoman Stegenga opened the committee meeting at 2:15 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

The first agenda item was a brief discussion regarding Styrofoam packaging.

Ms. Stegenga pointed out that in the packet (see original minutes) there is a copy of the Westchester Local Law.

Mr. Cheney asked Mrs. Reed if this should be a resolution or local law because it was discussed in the past and there are a lot of preemptions.

Mrs. Reed replied that preemption is that the state or federal government enacts legislation that overrides our legislation, so it preempts by operation of law, our law. By resolution, they are removing it off the books because the state or federal governments supersedes ours.

Mr. Church commented that the whole section of the local law states that it will be null and void and asked why.

Mrs. Reed replied because they may have something in the state and federal law that ours doesn't cover.

Mr. Lujan clarified that if the legislature were to pass a law that was more restrictive than the New York State Law, they would "scrap" the law and go with the New York State Law.

Mrs. Reed stated that it depends, and an example would be the Pay-to-Play Local Law.

Mr. Lujan stated that a few months ago Ulster County and Dutchess County passed a local law regarding a Styrofoam ban and asked if there were any differences.

Mrs. Reed responded that she will look into the differences.

Ms. Stegenga commented that one of her questions regarding the ban would be packaging food and whether that would be exempted because it is difficult to identify what items should fall under the law to be banned.

Mr. Cheney pointed out that it is exempted in some counties.

Mrs. Reed stated that it is predominantly when you buy food or beverages outside such as a restaurant that they will not give you a Styrofoam container to take home. The other thing that is exempted is styrofoam coolers and the Styrofoam peanuts are prohibited.

Mr. Cheney commented that there are a few impacts this will have such as schools and the cost. This will need to be planned and put in their budget and he would also like to be cautious because it will become an unfunded mandate. Another concern is enforcement and the cost of it. They will need to figure what it will be because it goes beyond retail stores and items.

Ms. Stegenga agreed and stated that there should be a cost analysis done on what the alternative is and the difference between the alternative and what it is now. She researched the health side of this and saw that the FDA is still stating this is the safest form for food, so they have not changed their stance. They did however change their stance on the additives to the food.

Mr. Lujan commented that Westchester County passed a resolution about a month ago and Ulster County and Dutchess County used the Department of Health as a resource; therefore, it may be worth us checking out how they are doing this so we can adapt what we like to do here.

Ms. Stegenga stated that would entail bringing Dr. Gelman in so she can see if this is something that would pass inspection.

Mr. Cheney added that they would have to engage the other departments.

Mrs. Reed pointed out that two agencies would have to be involved in this, one being the Department of Health. She spoke with Colleen in the Budget Department because she deals with them and the bottom line is that they have people who are going into restaurants, and for those who violate the law are entitled to due process and be heard before you are fined; therefore, they have a mechanism in place. The same is true for Consumer Affairs because they are the ones that go into the gas stations and take complaints from retailers. They also have hearings for people who violate the law. Furthermore, the processes are already in place, so we would have to defer to the oversight committees to get more information. She thinks the bottom line is there is a health factor about whether food is better in a different container, but then there's the other issue about the landfills. The problem we are having is countries in the South Pacific and South Asia are not taking it anymore. They are sending ships back to their country of origin with recyclables and garbage. The bottom line is that we do not have room here and it is not going over there anymore, so whatever can be removed from the landfill is important.

Mr. Lujan added this is the same type of argument when speaking about plastic bags.

Mr. Benton asked if anyone has spoken to Genpak in Middletown because they make a recyclable Styrofoam.

Ms. Stegenga replied no, but she will call them and get some information.

Mr. Church asked if the intent of the committee is to move on a local law banning Styrofoam.

Ms. Stegenga replied that once they gather more information the intent would be too, but they have to find out different options before doing so. She will reach out to Genpak, the Health Department, the jail, Valley View and a few schools to find out the impact this will have on them and if it will cut costs or increase them and discuss the outcome at next month's meeting.

The next agenda item was a discussion regarding refrigerants that will be moved to next month's meeting because Mr. Siljovic could not attend. She asked Mr. Church if he has anything he would like to discuss.

Mr. Church stated that he can speak to the next agenda item, Smart Community Grant for Refrigerant Assessment. He had an open conversation with the Department of Public Works regarding the grant because they have multiple opportunities, one being for a fleet wash.

Ms. Stegenga asked if the grants have to be submitted separately.

Mr. Church replied that they have to be separate, one for each action.

Mr. Cheney asked if there are monies available for the public such as a business owner or private residence.

Mr. Church replied no, not for private individuals.

Ms. Stegenga stated that she did not see anything under the private sectors.

Mr. Cheney pointed out that the county does take refrigerants or appliances with refrigerants for a fee that is fairly cheap. There is a program that is not being ignored, they just need to find a way to step it up.

Ms. Stegenga stated that they will revisit this again at the July meeting when Mr. Siljovic is back, and she will contact Mr. Denega and Mr. Razzano to see where they are at with this.

Mr. Church addressed the committee with the last agenda item which was an update on LEED Grant. He distributed a summary regarding the LEED Program (see original minutes) and explained that Orange County applied for a Free Technical Assistance Grant to the U.S. Green Building Council to participate in a new program called LEED For Cities and Communities. The county was chosen and joined by a few other states. LEED certifies building structures that have certain green standards as well as professionals. He stated that essentially this county is the guinea pigs for a new certification; therefore, they are testing this out so he will come back next month with an update.

Before adjourning, Mr. Lujan mentioned that the City of Newburgh held its third Repair Café which was a success. They decided to do something a little differently, the location on Broadway was chosen because it was accessible, but they noticed that they are getting a lot of people outside of the City of Newburgh which is wonderful, but they wanted to also make sure that

people from the city are aware of it. They decided to partner with NFA P-tech who did a presentation and donated different items. It was the biggest event held so far.

The meeting adjourned at 3:13 p.m.