

Legislative and Research Committee Minutes

October 12, 2010 – 4:00 p.m.

Present: Chairman Wright; Supervisors Hargrave, Raymond, Rowland, Southworth, and Wood; Spencer Hellwig, Mgmt. Analyst; Joe Miranda, Recycling Coordinator.

Chairman Wright called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Hargrave, seconded by Mr. Rowland the minutes of the June 8, 2010 meeting were approved unanimously

Mr. Miranda said in 1989 Saratoga County was one of the first counties in New York State to pass a Solid Waste Management Plan, which was a 20-year plan and will expire in December of 2010. Concurrently, New York State's plan expired in 2000 and they have been working on a new plan consisting of 480 pages of information. As of today there have been between 1200 and 1400 comments that have been received.

Mr. Miranda said the new plan is meant to be a guide-planning unit in waste planning for the next ten years. It is to be used as a tool when planning units are developing new plans. At least 34 planning units are expiring at the end of this year. The original Saratoga County solid Waste Management Plan, completed in 1990, was initiated as a result of the original New York State Solid Waste Plan, which resulted in the closing of all landfills in Saratoga County. This original NYS Plan cost the county over \$30 million in the past 20 years to comply with the many mandates within it. This new plan, if adopted by NYS, could be even more costly to taxpayers.

Many municipalities, the Association of Counties and professional solid waste/recycling associations have already passed resolutions rejecting to components of this plan and submitted written comments expressing concern and opposition to its contents.

Mr. Miranda said that he recently attended a meeting of professionals in Lake Placid where NYSDEC presented its view of the plan and attendees were able to express their views. The 480-page plan is available on line through the NYSDEC website for those who wish to obtain more information regarding the plan.

The scope and goals of this new plan will impact every planning unit in New York State. These are the same planning units which have invested \$500,000,000 since 1989 complying with the first New York State Solid Waste Management Plan.

The following are some concerns by the professional's currently managing solid waste and planning units throughout NYS:

- Regulatory leveraging

- No financial analysis of the proposals identified in the plan
- Unrealistic goals such as reduction of the amount of waste disposed (burned or buried) by 90% in 10 years
- Identification of anaerobic digestion as well as other thermal processors for managing the organic portion of the waste stream. This would require municipalities to implement food waste composting facilities within the planning unit.
- Waste surcharges to fund the mandates (including surcharges on tipping fees, permitting fees for facilities up to \$100,000, waste hauler licensing and PAYT PROGRAMS)
- 15% waste reduction every two years, reaching a 90% recycling rate by 2018
- Creation of a “mandatory” state wide list of recyclable so enforcement can be state-wide
- No funding source identified to help planning units come into compliance with the new plan

Mrs. Raymond said that the economic throwback to business in New York State is huge. This kind of onerous requirement would make the difference, in many instances, between a company locating here or in another state.

Mr. Miranda said the County’s plan has turned out to be almost ingenious and a lot of municipalities envy our position. We have a landfill that today is worth every bit as much as when it was built. The county has not used it, but has saved operational costs over a ten to twelve year period and post closure costs. We have not initiated flow control in our county and by not having flow control the garbage and recyclables have gone to the market of least cost and the most effective markets, saving millions in operating costs, but we have an insurance policy that we still have a landfill. Many landfills in the capital district and in New York State are looking to privatize. There are tipping fee in the center part of the State where there are some huge landfills that are \$20 a ton.

Ms. Raymond said she would like to see a paragraph added to the resolution about the effect on business and the negative impact in keeping businesses in New York State.

A motion was made by Mr. Hargrave, seconded by Mr. Wood to approve a resolution urging the New York State Department of Environmental Conservation to reconsider its draft state Solid Waste Management Plan “Beyond Waste” to ensure counties across the state are not burdened with additional fees, surcharges and unfunded mandates, and to have the county attorney include a paragraph on the negative impact to businesses. Unanimous.

Mr. Rowland said that one of the things that we ought to do is make the local Legislators aware of this so they can vote in the negative about this should it come up in a special session.

Ms. Raymond suggested making enough CD copies of the plan so it can be sent to each of the local legislators.

On a motion made by Mr. Rowland, seconded by Mr. Hargrave the meeting was adjourned.

Respectfully submitted,
Chris Sansom