

HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING
Held In The
PUTNAM COUNTY OFFICE BUILDING
ROOM 318
CARMEL, NEW YORK 10512

Members: Chairwoman Scucimarra, Legislators Gross and LoBue

Wednesday

February 11, 2015

The meeting was called to order at 7:33 P.M. by Chairwoman Scucimarra who requested Legislator LoBue lead in the Pledge of Allegiance. Upon roll call, Legislators Gross, LoBue, and Chairwoman Scucimarra were present.

Legislator LoBue made a motion to waive the rules and accept all of the additional; Seconded by Legislator Gross. All in favor.

Item #3 – Approval of Minutes – December 11, 2014

Legislator Gross made a motion to approve the minutes as submitted; Seconded by Legislator LoBue. All in favor.

Item #4 – Discussion/Crude Oil Trains (attached PowerPoint presentation)

- a. Presentation/Hudson Riverkeeper President Paul Gally**
- b. Sample Resolutions**

Chairwoman Scuccimarra stated although the Oil Trains do not go directly through Putnam County, they affect the neighboring counties and the quality of life for those that live near the Hudson River.

Riverkeeper President Paul Gally stated he thanks the Health, Social, Educational & Environmental Committee (“Committee”) for allowing him the opportunity to speak about the issue of Oil Trains. He then began his presentation (attached). He stated there are two (2) different types of petroleum; Bakken Crude and Tar Sands Crude. He stated daily there are two (2) trains that transport approximately 3 million gallons of crude oil. He stated daily there is one (1) barge that transports approximately 4 million gallons of crude oil. He stated daily there is one (1) tanker that transports approximately 8 million gallons of crude oil. He stated there are a couple types of risks that can occur with transporting oil such as train derailment or an oil spill. He stated the National Transportation Safety Board says the DOT-111 rail cars are not meant to carry the crude oil. The National Transportation Safety Board concluded that 82% of the tank cars traveling in New York are inadequate for transporting the Bakken Crude Oil. He stated there were more oils spills in 2013 than the previously 37 years of transporting the crude oil. He then provided examples of four (4) of instances where train derailment, oil spills and explosions have occurred (Lac-Megantic, Quebec, Lynchburg, Virginia, Aliceville, Alabama, Casselton, North Dakota). He stated with the incident in Casselton, North Dakota, people that lived within a five (5) mile

radius were evacuated. He stated at the narrowest point the railroad is 800 yards across the Hudson River to the Village of Cold Spring and Garrison area. He then played a video clip that displayed a press conference that shows the risks the Oil Trains have. He stated there is one (1) inspector for the 3,000 railroads bridges in New York. He stated the Clean Water Act enforcement from the DEC has declined within the last four (4) years by 2/3rd. He stated it is predicted that an application will be submitted requesting to move Crude Oil through pipelines. He stated there is greater risk with transporting Crude Oil through pipelines than trains. He stated the cost to clean up an oil spill is substantial. He stated if an oil derailment and explosion occurred in the rails in Orange County, it could force evacuation of communities in Putnam County. He stated if an incident occurred it would also impact the local economies due to tourism, real estate, recreation, drinking water, and other areas. He stated the environment also would be severely impacted if an incident occurred with the Oil Trains. He stated there are plans of expanding the transportation of the Crude Oil without conducting an environmental impact statement.

Legislator LoBue questioned if the foam displayed in the video clip is made to look like concrete as part of the rail bridge repair.

Riverkeeper President Gally stated the foam is a masking agent.

Legislator LoBue questioned who put the foam on the concrete.

Riverkeeper President Gally stated the people who own the rail bridge put the foam on the concrete. He stated there needs to be an increase in the “spill fund”. He stated there have been many sample resolutions that have been passed by other Counties. He stated this matter is not party specific.

Chairwoman Scuccimarra questioned what the outcome was after Senator Charles Schumer’s Press Conference on this matter.

Riverkeeper President Gally Senator Schumer has written to the National Transportation Safety Administration, Pipeline and Hazardous Materials Safety Administration, and has called for stronger regulations. He stated beginning May 12th there will be new regulations for the railcars. He stated there is a push to not have the regulations be “watered-down”. He stated any action taken by the Legislature to get the attention of the Federal Officials will assist in shaping the outcome of the May 12th regulations.

Legislator LoBue questioned what Governor Cuomo’s view is on this matter. She stated Senator Cuomo focuses on New York’s tourism and an oil train incident would impact tourism.

Riverkeeper President Gallay stated he worked for Governor Cuomo's father and worked with other environmental officials for the Governor. He stated it is known that the Governor would like to stay on top of the issues of Oil Trains but, there are "forks in the road". The Governor can either require an environmental impact statement from the global oil terminal or can renew the DEC's original negative declaration. He stated the Governor has proposed to increase the spill fund and use some of the funding for a spill preparedness fund.

Chairwoman Scuccimarra stated if a spill occurs on the Hudson River, generally the Coast Guard would be the ones to respond. However, the nearest Coast Guard is around Manhattan, New York.

Riverkeeper President Gallay stated the position of the equipment to deal with an oil spill in our area is far away. He provided the example that it would be similar to calling the fire department in Manhattan, New York.

Legislator LoBue stated the County is working on a Hazardous Mitigation Plan.

Riverkeeper President Gallay stated there are benefits in transporting the Crude Oil, but people have to be honest about the risks that are imposed.

Chairwoman Scuccimarra stated at the New York State Association of Counties ("NYSAC") February Conference she spoke with Albany County Executive Dan McCoy who stated the Oil Trains give off a lot of pollution which goes into the air of the residential section.

Legislator LoBue questioned if the Committee has a sample resolution for the Crude Oil Trains.

Riverkeeper President Gallay stated he has a sample resolution and he is willing to assist the Legislature in drafting the resolution. He stated there are several things that he believes are the most important items to focus on: a proper analysis of the risk; increase in the spill response fund; full disclosure from the rail companies and the shippers; the Federal Officials need to increase the inspection rate on railroads, bridges, and crossings; the Federal Regulations for the trains need to be the safest tank car designs; and ban the DOT-111 trains.

Legislator Gross stated he appreciated the presentation that Riverkeeper President Gallay gave on this matter. He stated he supports the impact studies, environmental studies and the upgrade of regulations. He stated it is important to realize that the Country needs fossil fuel. He stated it is his understanding that approximately 30% of the oil evaporates into the atmosphere. He stated the Country is always looking for energy independence. He stated it is necessary to recognize that our Nation burns fossil fuels and needs to be able to deliver them to the East Coast. He stated the DOT-111 railroad cars bother him and something as simple as a car on the railroad tracks, like in the Valhalla train incident can create a big impact.

Legislator Nacerino stated she appreciated the informative presentation given by Riverkeeper President Gally. She stated the statistics are unnerving and having an environmental impact study not be conducted is absurd. She stated she would support legislation in support of stronger regulations.

Legislator Albano stated the presentation given was very educational. He stated this matter makes you reflect on the idea of “changing directions” in the Country in terms of energy and environment.

Village of Coldspring Resident Michele Smith stated she thanks the Committee for discussing this matter. She stated she submitted a FOIL Request to the Federal Railroad Administration and what stood out to her when looking at the information she received was for inspections only the top of the railroad bridges are looked at. She stated she believed it is critical to request for an increase funding for the inspectors so the railroad bridges are examined from all angles.

Riverkeeper President Gally stated in terms of environmental law the risks need to be assessed.

Ms. Smith stated she appreciates the notion of oil independence however; this is a question of moving the oil safely.

Hudson Highlands Land Trust Stewardship Coordinator Matt Decker stated the Hudson Highlands Land Trust (“Hudson Highlands”) wanted to thank the Committee for addressing this issue. He stated the Hudson Highlands also wanted to show support for sending the message that the Oil Trains are a threat to the health and environment of Putnam County.

Town of Putnam Valley Resident Irv Flynn stated it is understood that the Nation needs to produce crude oil. He stated the regulations need to be increased because of the new level of risks with the Bakken Crude Oil.

Legislator LoBue stated it is important to bring this matter forward to educate the public about the new different crude oil being transported. She stated the oil needs to be transported in a safe manner. She stated the companies that are in the oil business do not want to spend money to run their business properly; which results in spending more money cleaning up after an event.

Legislator Gross stated he is aware that some crude oil is transported overseas. He stated the production in the Country has increased and the imports have decreased; which is critical to energy independence.

Riverkeeper President Gally stated the oil needs to be transported safely.

Chairwoman Scuccimarra stated the resolutions will be drafted and be sent back before this Committee.

Item #5 – Algonquin Pipeline Project

a. Discussion/Letter of Support

b. Federal Energy Regulatory Commission (“FERC”)/Environmental Review/FYI

Chairwoman Scuccimarra stated resolutions (*Resolution #104 of 2014 and Resolution #163 of 2014*) have already been sent in support of safeguards.

Legislator Albano stated he attended the last public hearing for the Algonquin Pipeline matter and there was a lot of educational dialogue. He stated a lot of analysis needs to be conducted on this matter. He stated the figures of emissions being discharged in the air are concerning.

Chairwoman Scuccimarra stated the letter in support of analysis being conducted informs Spectra Energy Corporation (“Spectra”) that the Legislature is staying on top of this matter.

Legislator Gross stated he has some concerns with the compressor station near a residential area in the Town of Southeast. He stated the amount of particles that are being emitted in the air does affect the environment.

Legislator Albano stated at the public hearing a woman stepped forward and discussed that she had respiratory issues. She stated her health issues got worse when there was a blowdown of the compressor stations.

Legislator Nacerino stated she would endorse the letter of support.

Legislator Gross stated he believes the goal is to have natural gas be sent to Europe by a pipeline.

Legislator Albano stated it is his understanding that the unions have the strongest support for the pipeline projects because the development of jobs. He stated there can be jobs developed with environmentally friendly technology.

Stop the Algonquin Pipeline (“SAPE”) Member Jerry Ravnitzky stated the pipeline company Spectra stated in writing their goal is not to send the energy source to Europe; however there is evidence to support otherwise. He stated the Federal Energy Regulatory Commission (“FERC”) has not conducted the studies that have been requested such as an environmental impact study, health impact assessment, and safety assessment. He stated in his opinion the funding will dictate the decisions made.

SAPE Member Paula Clair stated there are approximately 17 pipelines proposed in New York State. She stated a lot of the pipelines go through wetlands which are an important element in drinking water. She stated each pipeline has at least two (2) compressor stations, which affect the air quality by emitting approximately 100,000 tons of toxins in the air.

Legislator LoBue stated this letter of support should be a priority of Legislature as the deadline to submit the letter is on February 27th.

Item #6 – Discussion/Sample Resolution/Removal of PCBs from the Hudson River

Riverkeeper President Gally stated from the 1940's to the 1970's General Electric ("GE") dumped thousands of tons of polychlorinated biphenyls ("PCBs") into the Hudson River. He stated in the 1970's PCBs were banned; from the 1970's to 2010 there was a battle with GE and the State Agencies to have GE take the PCBs out of the Hudson River. He stated GE finally signed an agreement to remove the PCBs from the main channel of the Hudson River. He stated unfortunately approximately 136 acres is still not cleaned up. He stated GE is also currently facing tort claims.

Legislator Albano stated that this matter is currently in litigation. He questioned if the current litigation would that impact the Legislature passing a resolution.

Riverkeeper President Gally stated the current litigation would not impact the Legislature. He stated the State is currently conducting a Natural Resource Damages Assessment.

Legislator LoBue made a motion to approve a Resolution to support General Electric Removing the PCBs from the Hudson River; Seconded by Legislator Gross. All in favor.

Item #7 – Discussion/Plastic Bag Ordinance

Chairwoman Scuccimarra stated she would like to begin a dialogue regarding plastic bags. She stated the Legislative Office has received correspondences from constituents regarding this matter. She stated she understands that this matter will entail a long periods of dialogue similar to the matter of polystyrene. She stated Westchester County is discussing the proposition to have a plastic bag ordinance and currently there are ordinances in place in other areas; Hastings on Hudson, New York; Rye, New York; parts of Connecticut, and in California.

Legislator LoBue stated she originally requested to have this matter be discussed in Committee because this is a long-term problem.

Legislator Gross questioned if this proposed plastic bag ordinance is referring to the grocery bags.

Legislator LoBue stated the focus is grocery bags because they are the most prolific.

SAPE Member Ravnitzky stated there is over approximately 1 trillion plastic bags used every year worldwide and approximately 1million plastic bags are used every minute. He stated only

about three (3) percent of the plastic bags are actually recycled for other items such as track decking. He stated unfortunately it costs more money to recycle and make new plastic bags than to manufacture new bags. He stated the plastic bags create a lot of harm to the environment; specifically to birds and aquatic life. He stated a lot of the plastic bags are in the ocean. He stated California recently acknowledged the harm plastic bags have on the environment and have passed a plastic bag ordinance. He stated he believes it is important to promote the idea of using reusable bags. He stated if plastic bags are no longer in grocery stores it will force people to use other means of transporting their products. He stated as an example the store BJ's does not have plastic grocery bags and individuals that shop there have adapted.

Legislator LoBue stated that it is important to note that the fish ingest the plastic bags. She stated Ms. Green's Health Food Store has recently stopped using plastic bags and are now using paper bags. She stated the customers were the ones who initially requested for the store to use paper bags.

Legislator Nacerino stated SAPE Member Ravnitzky makes a valid point that there are stores, such as Costco, where people can buy items in bulk and there are no bags. She stated she does not think it would be a big transition to go back to using paper bags; it is a matter of raising awareness and changing the culture.

Legislator LoBue stated for the record the Legislative Office did receive a letter from the Food Industry Alliance of New York State and they are supporting the use of plastic bags.

Legislator Gross stated plastic products can be recycled. He stated other products such as beer cans are littering the environment as well. He stated he understands the issue at hand and would support encouragement rather than a ban.

SAPE Member Clair stated she researched this matter and learned that the plastic bags degrade very slowly and remain as pollutant in the environment. She stated she wanted to reiterate that the plastic bags affect the environment, particularly animal and aquatic life. She stated she believes it is important for the County to consider the health of the County residents before the profits of businesses.

Legislator LoBue stated landfills were an issue in the County and the landfills are full of plastic bags. She stated she believes it is important to begin this dialogue for this matter and proceed with small steps.

Legislator Nacerino stated it is important to begin the dialogue but also conduct due diligence for this matter.

Item #8 – Discussion/Putnam County Coordinating Council for People with Disabilities/Legislative Representative

Chairwoman Scuccimarra stated that she volunteered to be the Legislative Representative for the Coordinating Council for People with Disabilities.

Item #9 – Approval/Fund Transfer Request (14T392)/Social Services Department/Year End Purposes

Item #10 – Approval/Fund Transfer Request (14T393)/Social Services Department/Year End Purposes

Item #11 – Approval/Fund Transfer Request (14T394)/Social Services Department/Year End Purposes

Legislator LoBue stated this is a lot of money and requested for Commissioner of Social Services Michael Piazza to speak about the three (3) fund transfer requests.

Commissioner Piazza stated there is no fiscal impact with the three (3) fund transfer requests. He stated they are for fiscally supporting programs within the Department of Social Services. He stated all three (3) fund transfer request are for year-end purposes.

Legislator LoBue questioned about the Home Energy Assistance Program (“HEAP”) and the usage of the program this year.

Commissioner Piazza stated he will have to look into this matter further. He stated there were fewer complaints about the program, perhaps due to the price of oil.

Chairwoman Scuccimarra made a motion to move Fund Transfer requests 14T392, 14T393 and 14T394 to the Audit & Administration Committee; Seconded by Legislator Gross. All in favor.

Item #12 – Correspondence/The Mental Health Association/FYI

Chairwoman Scuccimarra commended the Mental Health Association (“MHA”) for all the work they conduct. She stated MHA has successfully launched a new recovery center, Veterans Peer to Peer Warmline and SAFETALK training. She would like to have an individual from MHA come before the Committee and discuss all of their different programs.

Item #13 – Planned Parenthood/Brewster Health Center Closed/FYI- Duly Noted

Item #14 – ProAct- Duly Noted

- a. Discount Card/FYI**
- b. Press Release/FYI**

Item #15 – Other Business- None

Item #16 – Adjournment

There being no further business, at 8:56 p.m. Legislator Gross made a motion to adjourn; Seconded by Legislator LoBue. All in favor.

Respectfully submitted by Administrative Assistant, Lisa Sommers.