

## **DECEMBER 16, 2013 REGULAR BOARD MEETING MINUTES**

### **ULSTER COUNTY RESOURCE RECOVERY AGENCY**

#### **MINUTES OF THE REGULAR BOARD MEETING**

December 16, 2013

The Ulster County Resource Recovery Agency held a Regular Board Meeting on December 16, 2013 at 999 Flatbush Ave, Town of Ulster, NY.

The proceedings were convened at 5:00 pm.

The following Board members were present: Chairman Leon Smith, Vice Chairman Catherine Nilsen, Treasurer Al Teetsel, Member Charles Landi and Dominic Tagliafierro.

Also present were: Timothy Rose, Executive Director; Counsel / Secretary Kenneth Gilligan; Controller Tim DeGraff; Operations Manager Charles Whittaker, Compliance Officer Tom Briggs; Recycling Coordinator Michelle Bergkamp and Confidential Executive Secretary, Kelly Utter.

#### **PUBLIC COMMENT**

Leon Smith opened up the meeting for Public Comments.

Leon Smith closed the Public Comments session while reserving the right to reopen in the event that someone arrives that would like to speak.

#### **CHAIRMAN'S COMMENTS**

No Comments

#### **APPROVAL OF MINUTES**

The minutes of the November 18, 2013 Regular Board Meeting were moved by Al Teetsel and seconded by Charles Landi. Four in favor. None opposed. One Abstain (Nilsen). The minutes of the November 18, 2013 Regular Board Meeting was approved.

The minutes of the December 10, 2013 Special Meeting were moved by Charles Landi and seconded by Dominic Tagliafierro. Five in favor. None opposed. The minutes of the December 10, 2013 Special Meeting were unanimously approved.

#### **COMMUNICATIONS AND ANNOUNCEMENTS**

The Annual Meeting has been scheduled for Monday, January 27, 2014 at 5:00pm to be followed immediately by the Regular Board Meeting.

#### **GENERAL REPORTS**

##### **MSW**

Tim Rose gave the MSW and recycling tonnage reports and the leachate collection report. The MSW tonnage in was 9,297 which is 1,679 tons less than the projected tonnage of solid waste for November 2013. The Sludge tonnage in was 194 which is 83 tons less than the projected tonnage of sludge.

#### **RECYCLING TONNAGE**

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The Recycling tonnage report, looking back at last November for commingle we did 137 and this year we did 117. Glass was 47 and this year it is 48, mixed news was 193 and is now 129. Single stream was 337 and now it is 382. The OCC was at 294 and is now 206.

### **COMMODITY REPORT**

Tim Rose noted the commodity report in the Board packet. He reminded the Board that NR means the Agency did not receive a return phone call.

Charles Landi moved. Catherine Nilsen seconded. Five in favor. None opposed.

### **LEACHATE COLLECTION**

The leachate collection report, in November of last year for Ulster we did 70,000 and this year we did 43,000. In New Paltz we did 133,000 last year and 49,000 for this year.

### **RECYCLING PROGRAM UPDATE**

Last month we talked about the electronics recycling issues going on across the state, being that Michelle is on the Board of Directors for the New York Product Stewardship Council, both the council and the PSI (Product Stewardship Institute- that works with legislative issues across the country) are working together to create a summit to address the issues and challenges as well as discuss potential solutions. Attendees will include manufacturers, manufacturer collectives, recyclers, government agencies/organizations and NGOs. The summit will be held on January 23 at the NYS Legislative Office Building in Albany.

The Agency has received much interest in our composting operation. We've also had visits from various municipalities such as the towns of Greenburgh, Beacon, Croton-on-the-Hudson as well as Putnam County for information on developing programs and operations for organics management/diversion.

The Agency is also developing partnerships with numerous wholesalers in the compost market including landscapers, nurseries, topsoil producers, etc. The average retail value for compost in this market area is about \$40 per cubic yard. Expanding the distribution network continues to be an important undertaking. The Agency has the PSA announcement on the radio. Members of our local communities are hearing it and contacting their hauling companies looking for the service.

The DEC Annual report for the overall recycling rate is due the first quarter of 2014; various generators and collectors in the county need to be contacted as a lot of them, such as Target, which sends their recycling back to their distribution centers for consolidation and/or markets their recyclables directly. Michelle notified the Board of the amount of correspondence she needs to do, with phone calls and emails, to collect this data.

### **FINANCIAL MATTERS**

Tim DeGraff reminded the Board that the Treasurers report for last October was not approved. The changes included an HHW invoice for \$21,067 and our MSW Hauling and Private Contracts, the actual number ended up being \$536 less. So our final number for October ended up being to the positive of \$288,449.

Leon Smith made a motion to approve the October, 2013 Treasurers Report. Al Teetsel moved, Charles Landi seconded. Five in favor. None opposed.

For November 2013 we had 9,329 tons, miscellaneous revenues were \$14,875, we had the sale of our old Leachate tanks for \$13,000 in there. There are two items that are estimated and that is the Hauling Contracts

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again because we are still waiting on some tickets and our sludge transport; waiting on some tickets as well. Under Capital Outlay we did have a bailer pump repair/replacement for \$12,538 and operating revenues for the month is \$254,059 and our fund balance for the month after the capital outlay is \$241,521. For our Leachate, if you look at our year to date for 2013 it is \$149,350, last year at the same time it was \$101,838, so our expenses are up \$47,000.

For the year, our Fund balance is sitting at a deficit for November of \$663,017.

Due to the estimates, the Treasures Report will have to be approved at the January, 2014 meeting.

### **MRF COST CENTER ANALYSIS**

Our Sale of Recyclables was \$47,802 for November so our total net loss after depreciation was \$4,446 so for the year we are still sitting at a net income after depreciation of \$150,657.

#### **Resolution No. 2312 – Re: Authorization to Procure General Insurance**

This resolution authorizes and approves the procurement of General Insurance through McKee Risk (CAN National Fire Insurance Company of Hartford) and this coverage will be effective from December 16, 2013 for a period of one year at an annual premium of \$188,620.

Leon Smith moved to the floor Resolution No. 2312; Motion to approve was made by Leon Smith and seconded by Charles Landi. Five in favor. None opposed

### **ADMINISTRATIVE MATTERS**

#### **Resolution No. 2313 – Re: Approving Yard Waste Tipping Fees and Other Charges**

The Agency Budget establishes the municipal tipping fee and waste hauler tipping fee, but the Agency Members must approve all other fees and charges. The Agency Board does approve the schedule of fees and charges for Yard Waste and other items annexed hereto.

Leon Smith moved to the floor Resolution No. 2313; Motion to approve was made by Charles Landi and seconded by Dominic Tagliaferro. Five in favor. None opposed.

**Resolution No. 2314 – Re: A Resolution Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State**

This resolution authorizes an application for a grant for 50% reimbursement of HHW Day expenses from the DEC. It is a standard resolution.

Leon Smith moved to the floor Resolution No. 2314. Motion to approve was made by Al Teetsel and seconded by Charles Landi. Five in favor. None opposed.

### **OLD BUSINESS**

The Agency sent a letter to the Town of New Paltz, as we have done in prior years since 2008, notifying the Town of the Agency's closure of the New Paltz Transfer Station on Saturdays during the first quarter of the year.

### **NEW BUSINESS**

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Dominic Tagliafierro asked if anything was going on with violations of the Flow Control Law. Tom Briggs stated that there are some ongoing issues with a couple of haulers and there are meetings set up for the next week to address these issues. No major violations, just some minor issues that need to be addressed.

Dominic asked if we've assessed any penalties yet. Ken Gilligan said that we don't assess any penalties but we can take their license and the penalties are assessed if we have to go to a hearing, which the Agency has not yet needed to do.

Letters and Applications have been sent out to the Haulers for the yearly renewal.

Charles Landi asked how the Agency was with regards to Accounts Receivable. Tim DeGraff said that the Agency is not having any issues. Tim Rose stated that the Agency is in very good shape with Accounts Receivable.

Charles Landi asked about Waste Management trucks going over the Kingston Rhinecliff Bridge in the morning, like 10 or 11:00am and appeared to be loaded.

Tom Briggs said that he has watched traffic and there are recycling trucks that do go over the bridge loaded and this is most likely what others are seeing and reporting.

**MOTION** to enter into **EXECUTIVE SESSION** at 5:43 pm to discuss the Status of Negotiations under the Taylor Law was made by Leon Smith and seconded by Charles Landi . 5 in Favor. 0 opposed.

**MOTION** to enter into **REGULAR SESSION** at 6:02 pm was made by Charles Landi and seconded by Catherine Nilsen . 5 in Favor. 0 opposed.

### FINANCIAL MATTERS (CONT.)

Leon Smith asked Tim DeGraff to work up some numbers for where our accounts stand and where we are going to get the funds to pay the bonds. Leon distributed the worksheet to the Board Members.

Tim DeGraff stated that Leon had approached him with regards to how the Agency stands and whether or not it was going to require a net service fee. He wanted to show the Board where the Agency was with available funds for the end of November for that Debt Service Payment. Working with the funds that have built up in our deposit account and our operating reserve: as of November 30<sup>th</sup>, the Agency has a total of \$2.89 million. Our debt service payment that we have to make on March 1<sup>st</sup> is \$2.565 million. If we had to make the payment right now for March 1<sup>st</sup>, we would still have \$326,000 left in our operating reserve.

We will have to use some money from the Operating Reserve that we will funnel back into it throughout the next year, the main reason for not breaking even is volume. We can see that we are short on volume and the money has to come from somewhere, and that is the Operating Reserve.

Tim Rose stated that the Agency is suppose to budget to break even. What we don't have is that the Agency is suppose to have an operating reserve of 10 to 15%. Our budget is an average of \$15 million, so that \$1.5 million to \$2.25 million that the Comptroller's office wants the Agency to have in a bank account that is not touched for if the Agency had a bad year, they would have that money to cover. Right now we are just breaking even, which is what we are suppose to do, we just don't have the excess money as of yet. Going into 2015, the debt service is going to drop down to \$2.1 million so that extra \$450,000 will go towards the Operating Reserve.

**MOTION** to **ADJOURN** the December 16, 2013 Regular Board Meeting at 6:12 pm was made by Charles Landi and seconded by Dominic Tagliafierro .

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AYES \_\_\_\_\_ 5 \_\_\_\_\_      NAYS \_\_\_\_\_ 0 \_\_\_\_\_      ABSENT \_\_\_\_\_

The above transcribed Minutes of the November 18, 2013 Regular Board Meeting were moved by \_\_\_\_\_  
Al Teetsel \_\_\_\_\_ and seconded by \_\_\_\_\_ Charles Landi \_\_\_\_\_.

\_\_\_\_\_ 5 \_\_\_\_\_ in favor, \_\_\_\_\_ 0 \_\_\_\_\_ opposed. The Minutes were **UNANIMOUSLY APPROVED** by the Board.

Date: January 27, 2014