

ULSTER COUNTY RESOURCE RECOVERY AGENCY

MINUTES OF THE REGULAR BOARD MEETING

March 25, 2015

The Ulster County Resource Recovery Agency held a Regular Board Meeting on March 25, 2015, at 999 Flatbush Road, Town of Ulster, NY.

The proceedings were convened at 5:02 pm.

The following Board members were present: Chairman Leon Smith; Vice Chairman Catherine Nilsen (arrived at 5:17 PM); Treasurer Charles Landi; Member Dominic Tagliaferro and Member David Gordon (left at 6:06 PM).

Also present were: Executive Director Timothy Rose; Counsel / Secretary Kenneth Gilligan; Controller Tim DeGraff (excused); Operations Manager Charlie Whittaker; Recycling Coordinator Michelle Bergkamp; Compliance Officer Tom Briggs; and Administrative Assistant Melinda France.

From the public: Larry Alberts of Lime Energy, John Parete, Chairman of Legislative Office and Manna Jo Greene, Ulster County Legislative Office

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Leon Smith opened the meeting up for Public Comment.

John Parete stated that a lot of the turmoil are directly related to the County's Flow Control initiative which was never planned for properly and stated weren't truthful about the consequences. He stated the Agency has some of the highest rates in the state, commodities markets are falling, Towns are now suffering; the Agency had to give up some revenue and shouldn't have. He said he sees the letters stating what the net service obligations should be and they go away because the Agency states they don't need it. He said he is aware the Agency needs some real equipment, roll-offs, trucks and he thinks somebody needs to recognize that in order for the Agency to continue to do a good job that it does than somebody needs to support it and invest in it. He believes the Agency does a great service to the Towns because he truly believes it has helped keep Ulster County green and clean as it grows and attracts residents, businesses and commerce. He knows there will be discussion on what to do with the Transfer Stations. He stated that The County passed a Resolution which he left with the Agency's Board to review. He asked when the Board makes their decisions to review it and for the Agency to think, what are the consequences, what are the benefits of some of the things the Agency is doing, what are the down sides and what are the effects on the people the Agency services. He stated he would not be happy with seeing people losing their jobs. He understands, the Agency has decisions to make. He stated he is on the committee to review the municipal solid waste and they need to decided what to do with the place and they are talking about composting and recycling but has nothing to do with municipal solid waste. He stated again, people want to talk about what to do with the Agency but no one wants to invest into the agency.

Charles Landi commented to John Parete. Charles stated that John Parete mentioned the downsides, which he said he's right and mentioned Flow Control but something needs to be considered with the

Solid Waste Improvement Commission is about single stream because the Agency's facility is not capable of handling single stream.

John Parete commented to Charles Landi for him to "look at the title of the Resolution" it does not talk about single stream, recycling or C&D; just municipal solid waste. He said it's very specific. He said the Agency can always raise the rates.

CHAIRMAN'S COMMENTS

Leon Smith stated if everyone has read the contract with the County the contract states the County will have Flow Control for us. The County does guarantee all MSW by contract. He stated once the Commission comes up with a plan the County will still need to negotiate with the Agency.

APPROVAL OF MINUTES

The Minutes of the February 25, 2015, Regular Board Meeting were moved by David Gordon and seconded by Charles Landi. 5 in favor. 0 opposed. 0 absent.

COMMUNICATIONS AND ANNOUNCEMENTS

A Workshop Meeting concerning extension of the Solid Waste Management Agreement with Towns has been scheduled for Wednesday, April 8, 2015 at 11:00 AM.

A Regular Board Meeting has been scheduled for Wednesday, April 22, 2015 at 5:00 pm.

GENERAL REPORTS

Tim Rose presented the MSW, Recycling and Leachate Collection reports.

MSW

Tim Rose stated that MSW tons for February were 175 under which is about seventeen packer trucks. Tim stated that this month we are almost dead-on and right were we should be as far as tonnages are concerned.

RECYCLING TONNAGE

The Recycling tonnage report was compared to the prior year. Last February for commingle we did 65 tons and this year we did 50; glass was 31 tons and this year it is 31; mixed news was 103 tons and this year 81; Single stream last year was 304 tons and now it is 532; OCC was 198 tons last year and it is down to 92 this year. Tim stated that recycling markets are down and not good.

COMMODITY REPORT

Tim Rose noted the commodity report is in the Board packet. This shows who we sold what to and the prices. Tim stated that NR means no response.

Leon Smith stated that the Agency is losing money on single stream and if we start getting dumped on by haulers that the Agency should think about charging.

There was a brief discussion on single stream recycling, about the markets, quality of the products and about charging if the Agency needs to pay to get rid of it.

Dominic Taglierferro moved to approve the Commodity Report. Charles Landi seconded. 5 in favor. 0 opposed. 0 absent.

LEACHATE COLLECTION

Tim Rose noted that last year in February we did 112,000 gallons and this year we did 3,000 out of Ulster and last year in February we did 70,000 gallons and this year we did 63,000 out of New Paltz.

RECYCLING PROGRAM UPDATE

Michelle gave the Board a packet of all her updates.

Michelle stated the Agency was interviewed by MSW Management Magazine, a national publication and the journal for municipal solid waste professionals for an upcoming article which is about focusing on public awareness/outreach recycling across the country and it will be featured in the July issue.

The Ulster County Legislature voted on to ban polystyrene containers. The Agency presented at the public hearing meeting in favor of the law. The law will help to significantly reduce the volume of waste transported by the Agency for landfill disposal.

Michelle stated this is a fun time of year when the Agency has a lot of outreach events which includes tours of the facility, presentations at schools, Household Hazardous Waste Collection Event, New Paltz Textile Collection Event and Compost Workshop with Cornell Cooperative Extension.

The Household Hazardous Waste Collection event flyer was in the local newspapers. She stated we have approximately over 100 people who have registered for the event.

She stated that she is finalizing the Annual Recycling and MSW Planning Unit Report required by the New York State Department of Environmental Conservation (NYSDEC) and will provide the results at the next board meeting.

She passed around the new recycling and composting brochures. 7,500 of each brochure will be printed and made available for the public.

FINANCIAL MATTERS (Tim DeGraff was excused; Tim Rose presented)

Tim Rose presented the February, 2015 Treasurer's Report. He stated volume was down in February which is to be expected due to less work days. Revenues to note; we received money for our HHW grant in the amount of \$38,889, no other items noted. Expenditures to note; Administration expense was up due to the first billing of our external audit, \$11,000. No other significant items noted. Capital outlay of \$10,000 was for the conversion of two agency trucks to propane. Debt service was paid on time with funds that were on hand as expected. No reserves were needed as in previous years.

Leon Smith made a motion to approve the February, 2015 Treasurer's Report, Charles Landi moved and seconded by Catherine Nilsen. 4 in favor. None opposed. 1 absent (GORDON).

MRF COST CENTER ANALYSIS (Tim DeGraff was excused; Tim Rose presented)

Tim Rose stated February was almost identical to January. Markets are down and single stream is “in the tank”.

Charlie Whittaker added that the Agency is holding on loads of aluminum, plastic and steel because we have room to store it and that he is waiting until the market goes back up.

Charles Landi wanted to know what it would take to convert the single stream into source separation.

There was a brief discussion about how costly it would be to convert the MRF, how the conveyor belts are old, space, cost of new equipment, and about the County coming up with money. Also, there was a discussion about a financial analysis that was done by an engineering firm regarding the MRF.

ADMINISTRATIVE MATTERS

Resolution No. 2348 Re: Approving Contract for Exterior Lighting at Agency Facilities in New Paltz and Town of Ulster

Tim Rose stated that the Resolution was being brought to the Board because the original quote was \$34,000 for both facilities and since then he received an email from Mr. Alberts which stated the quote increased by \$10,000.

Mr. Larry Alberts from Lime Energy discussed why there was an increase with the quote and stated that it was due to prevailing wage which was not added in the quote. He apologized about the mistake and stated he misunderstand what he was told about the Agency; thought it wasn't exactly a County agency. He also stated that after further discussion and after signing the contract found out about the mistake. He further discussed about the savings and the safety around the buildings for the Agency by doing this. He stated in New Paltz the County will save 85.8% on electricity use and Central Hudson will pick-up 39%. The project will cost \$16,488.46 and the County's cost is \$9,018.17. He stated in Ulster the County will save 82.8% on electricity use and Central Hudson will pick-up 47% of the cost. The project will cost \$62,220.32 and the County's cost is \$29,540.94.

David Gordon asked what would be the break even timeframe.

Larry Alberts stated it would be 52 months for New Paltz and 37 months for Ulster. He also stated his company comes in and takes care of everything, all the recycling of the light fixtures, cardboard, they take away everything.

Leon Smith stated we approved the project at a cost and once project started the cost increased due to a mistake and he stated does the Agency continue the project or stop work on project.

Charles Landi stated we approved it after an amount was agreed upon and contracts were signed. He wanted to know if Lime Energy is willing to split the increase. He stated he was disappointed that Lime Energy made such a mistake.

Tim Rose stated he misspoke the increase is about \$5,000 not \$10,000.

The Board decided since there was a signed contract with Lime Energy and they have an enforceable contract; they do not agree to any increase.

Leon Smith moved to the floor **Resolution No. 2348**; Motion to vote was made by Charles Landi and seconded by Catherine Nilsen. 0 in favor. 5 opposed. 0 absent.

Resolution No. 2349 Re: Termination of Solid Waste Management Agreements with the Towns

Charles Landi stated he is concerned. He stated the Agency is here to benefit the public. He stated he is not ready to sign-off on the Towns. He doesn't think the Towns that are complying should be punished for the ones that are doing bad. He believes there are 70%-80% of the Towns working with the Agency. He said maybe set up some penalties.

Leon Smith stated because we are a public authority do we need to service the Towns.

Charles Landi commented with "no". Charles believes we have to service the people and the Towns are the people.

Leon Smith stated that 8% of the Agency's business is the Towns.

Charles Landi does want to keep cutting volume but Leon Smith stated the volume still has to come to the Agency even if the Agency is not servicing the Towns due to the Flow Control Law.

Charles Landi thinks the Agency should present the difference to the Towns that are not complying that the cost would be higher with a private hauler and the Agency can pull out at any time.

Kenneth Gilligan commented that we need to have a long term agreement with the Towns in order to purchase equipment. He also stated we need to give them enough notice if we are going to stop servicing them and the Agency needs to decide so the Agency can plan.

Leon Smith stated the budget needs to be put together so a decision needs to be made soon. He also stated we need to make sure this will be profitable for the Agency. He stated if the Agency buys the equipment, rates would need to be raised. Shouldn't raise the rates for 92% of the people to cover the 8%.

Manna Jo stated there is talk about helping with roll-offs. She said there is a positive tone from the Solid Waste Management Commission. She agrees with Tracey Bartels, the Agency was created as a Public Benefit. She stated the research shows that it would cost more with a private hauler. She believes this is a premature action.

Catherine Nilsen commented that the people in the Towns who are ignoring the laws are making it unsafe for the Agency's employees. She stated she is for terminating the service with the Towns.

David Gordon stated there are two issues on the table. One issue is contracts and the other is compliance issues. Some of the compliance issues are also fiscal issues; he stated, "like stealing of the cans". David stated the safety issues have been handled and the Agency was given complete authority to handle those issues. He thinks, this is precipitous and it is a very important program. He stated he does respect the Agency's public responsibilities. He said the Agency needs to have a conversation with the Towns; have a public hearing. He asked if the Resolution could be tabled to review the issue more.

John Parete stated that the Agency is a Public Benefit Corporation but that doesn't mean the Agency should take abuse. He stated all the Supervisors supported Flow Control knowing this will happen. The Agency had to eat into reserves and raise rates. He understands the Agency can't buy half a million dollars of equipment without knowing if there are customers. He said that is why he brought that Resolution. The whole thing needs to be reformed and the Towns need to get over the fact because they insisted on Flow Control.

Leon Smith moved to the floor **Resolution No. 2349**; Motion to TABLE until after the workshop meeting on April 8, 2015 was made by David Gordon and seconded by Charles Landi. 5 in favor. None opposed. 0 absent.

OLD BUSINESS

Tom Briggs passed out some information regarding GPS tracking systems and went over some of the proposals. He stated that Quartix was user friendly, most reasonably priced and the contract is only 12 months. He stated that the fee is the Hauler's responsibility but the Agency might need to front the money first. The cost is nothing to monitor it. He stated this would only be for the Hauler's who are in violation.

Tom Briggs passed out a flyer regarding the security camera proposals. He went through the list of companies that proposals were requested from and discussed what each company offers.

Leon Smith stated that the staff should pick one company for the security cameras and put the proposal together for the next meeting to move forward.

NEW BUSINESS

Tim Rose stated that the new loader has come in and the floor repairs are still being worked on.

MOTION to go into Executive Session was made at 6:43PM to discuss collective bargaining grievances was made by Catherine Nilsen and seconded by Dominic Tagliaferro. 4 in favor. None opposed. 1 absent (GORDON).

MOTION TO COME OUT OF EXECUTIVE SESSION AT 6:48 PM WAS APPROVED BY THE BOARD.

MOTION to ADJOURN the March 25, 2015, Regular Board Meeting at 6:48 pm was made by Leon Smith and seconded by Charles Landi. 4 in favor. None opposed. 1 absent (GORDON).

The above transcribed Minutes of the March 25, 2015 Regular Board Meeting were moved by Charles Landi and seconded by Catherine Nilsen. 5 in favor. None opposed. The Minutes were UNANIMOUSLY APPROVED by the Board.

Date: April 22, 2015