

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
January 24, 2011**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on January 4, 2011 at 999 Flatbush Avenue, Town of Ulster, NY.

The proceedings were convened at 3:07 pm.

The following Board members were present: Chairman Leon Smith, Vice Chairman Dennis Helm and Treasurer Al Teetsel. Catherine Nilsen was absent. Member John Parete arrived at 3:22pm.

Also present were: Tim Rose, Acting Executive Director; Counsel/ Secretary Stephen Wing, Agency Controller Tim DeGraff and Acting Director of Operations and Safety Charlie Whittaker.

PUBLIC COMMENT

No member of the public was present.

APPROVAL OF MINUTES

The minutes of the regular and annual meetings held on January 4, 2011 were approved unanimously.

COMMUNICATIONS & ANNOUNCEMENTS

The next regular meeting of the Board was scheduled for Tuesday, February 22, 2011 also at 3:00 PM.

GENERAL REPORTS

Tim Rose gave the MSW, recycling and leachate tonnage reports. The Agency was 10,000 tons behind the amount of MSW budgeted for the year 2010, but was ahead of MSW received in 2009. The total was 151,317 tons. Recycling is trending to single stream in a greater amount. Total recycling for the year was 17,003.96 tons. The leachate totals for the year were less than 2009.

Tim Rose gave the recycling program update. Michelle Bergkamp, who is on leave, usually gives this report. Tim Rose said HHW collection will be on April 16, 2011. A new billboard supporting recycling has been erected on 9W in Esopus.

FINANCIAL MATTERS

Tim DeGraff presented the Treasurer's Report. The Agency's financial picture improved over last year because it handled more tons of MSW than in 2009. Personnel expense was higher because of a three/month payroll for December 2010. December 2010's net operating revenue of \$536,875 was higher than last year.

Tim DeGraff described the Worker's Compensation deficit which has an impact on the Agency. Others in the plan and the Agency owe \$54,000 apiece in arrears. Al Teetsel says that we should do further investigation of the arrears before we pay any deficit amount. John Parete said the Agency should look into joining the Ulster County self-insurance pool.

The Board approved the Treasurer's Report.

Leon Smith said we should review the 2011 budget after the first quarter.

ADMINISTRATIVE MATTERS

Resolution No. 2198 - re: Approval of Collective Bargaining Agreement

This Resolution was held until after the executive session.

Resolution No. 2199 - re: Approving Engineering Services – New Paltz Scale Replacement

Moved by Leon Smith, Seconded by Dennis Helm.

Tim Rose described the proposals for design work from the engineers. He is reviewing the 2 lowest cost proposers and will select one to do the work. The resolution authorizes him to proceed.

Vote: 4 in favor 0 opposed 1 absent (Nilsen).

Resolution No. 2200 - re: Authorizing Transfer of Surplus Equipment to the Town of Ulster

Moved by Leon Smith, Seconded by Dennis Helm.

Tim Rose described a non-commissioned storage tank which is worthless to the Agency. The Town of Ulster is interested in obtaining it. This resolution authorizes giving the tank to the Town of Ulster.

Vote: 4 in favor 0 opposed 1 absent (Nilsen).

Resolution No. 2201 - re: Ratifying and Approving Agreement with County Waste

Moved by Leon Smith, Seconded by Dennis Helm.

The status of the County Waste agreement was explained by Steve Wing. A one year extension of the agreement was signed by the former executive director but was not received from County Waste. It appears that County signed the agreement but did not send it back to the Agency. At any rate, it is necessary that the agreement be ratified. Negotiations for a longer agreement could proceed in the near future.

Vote: 4 in favor 0 opposed 1 absent (Nilsen).

Resolution No. 2202 - re: Amending Personnel Policy

This resolution was moved by Leon Smith and Seconded by Dennis Helm.

Tim Rose explained the need for floating holidays (as at the County) for the administrative staff so the office can remain open on Lincoln's Birthday, Good Friday and Election Day.

Vote: 4 in favor 0 opposed 1 absent (Nilsen).

Resolution No. 2203 - re: Authorizing Joint Committee to Study Agency

The resolution was moved by Leon Smith and seconded by Dennis Helm.

Leon Smith explained his intent to create an atmosphere of cooperation and communication that would lead to a better understanding of the Agency by the County Legislature. Board members concurred.

Vote: 4 in favor 0 opposed 1 Absent (Nilsen).

Board Discussion re: Status of Leachate Project;

Tim Rose spoke about the leachate study. He stated that the Agency should look into retaining another firm because of delays. The Agency now has the engineer's report and the DEC's response. It would be reasonable to bring in another firm at this point. Al Teetsel felt that there should be an end date for this work. John Parete asked what costs were projected. The Board concurred that Tim Rose should pursue another firm and bring the matter back for review by the Board. Dennis Helm asked if there was a chance that this effort would be successful. Tim Rose is confident that it will result in a reduction of leachate at the Agency landfills.

Board Notification re: Status of Compactor at Wawarsing;

Tim Rose spoke about this project. The town's attorney is still reviewing the agreement. Leon Smith said the town was having trouble with raising the funds for the 3 way electric.

Board Notification re: Status of NYSDEC Matters;

Tim Rose said the response to the order on consent on the PBS/CBS tank issue will be sent out tomorrow. Storm water sampling results showed compliance with the law. The Agency doesn't have a response from DEC on the Ulster tonnage modification application.

Tim Rose also brought the Board up to speed on a field review by the United States Department of Labor, Wage and Hour Division. No violations were found but a few changes were recommended.

Board Notification re: Status of MRF Alternative Study;

Tim Rose said that the report was being revised and would be submitted soon.

OLD BUSINESS

Al Teetsel spoke about the need to have a later meeting start time to accommodate average person, but Dennis Helm felt that history shows that there has been little public participation. Leon Smith thought that a night meeting could be scheduled at some time during the year.

Al Teetsel spoke about the HHW events. His concern is that there are people who have drugs who are not aware of how to get rid of the drugs safely.

Steve Wing spoke about advertising for open jobs. The Board determined to place local advertisements and advertisements in solid waste publications for the Executive Director and Director of Operations and Safety positions. Resumes will be sent to the Board for review.

Leon Smith asked if the SWMP modification was being worked on. Steve Wing said we are behind, but making progress.

Leon Smith spoke to the County Comptroller; the Comptroller said he would provide any report his office prepares to the Agency prior to public release.

Leon Smith spoke to the District Attorney about his review. The District Attorney is delayed in issuing his report, but will contact Leon Smith before any report is issued.

John Parete spoke about his desire to have further information about the termination of the former executive director. He is concerned about misinformation of the many items. He spoke about clearing up the allegations quickly.

Leon Smith said we must keep in mind the outstanding investigations and the law suit that are pending.

Dennis Helm said that there were very few records concerning the allegations in the matter.

Al Teetsel said that things should be resolved as soon as possible.

NEW BUSINESS

Al Teetsel spoke about the documentation for the finances of the Agency. Direct deposit for all employees should also be reviewed. It will be reviewed in the labor management committee.

Leon Smith spoke to the Mayor of Kingston about accommodating their proposed single stream system and taking sludge to the waste water treatment plant as an alternative. The Agency is committed to working out an agreement with the City.

PUBLIC COMMENT

The Kingston Freeman reporter asked for the number of the Union in negotiation and the name of the Lawsuit being discussed.

EXECUTIVE SESSION

The Executive Session was moved up by motion of the Board to this point in the meeting.

Motion to enter Executive Session re: Negotiations under the Taylor Law and Pending Litigation was made by Dennis Helm and seconded by Leon Smith.

Ayes 4 Nays 0. Time: 5:30 PM.

Motion to enter into Regular Session was made by Dennis Helm and seconded by Leon Smith. Ayes 4 Nays 0. Time: 5:45 PM.

Leon Smith announced that there is a lawsuit pending by Michel Bemis against the Agency and certain others. The Agency will not comment publically while the matter is in litigation.

Resolution No. 2198 - re: Approval of Collective Bargaining Agreement

The resolution was moved by Leon Smith and seconded by Dennis Helm.

The agreement with the Teamsters is for one year, the only change being a small increase in the pay of the Sorting Line Workers.

Vote: 4 in favor 0 opposed 1 absent (Nilsen).

ADJOURN

Motion to Adjourn the Regular meeting was:

Moved by: Dennis Helm and Seconded by: Leon Smith.

VOTE: Ayes 4 Nays 0 Absent 1 (Nilsen)

ADJOURNED: 5:50 PM

The above transcribed Minutes of the January 24, 2011 Regular Meeting were
UNANIMOUSLY APPROVED by the Board

Date: February 22, 2011

Minutes of the Executive Session are maintained by the Secretary in a separate, confidential file.