

**ULSTER COUNTY RESOURCE RECOVERY AGENCY  
MINUTES OF THE REGULAR BOARD MEETING  
April 21, 2009**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on April 21, 2009 at 999 Flatbush Avenue, Town of Ulster, NY.

Roll Call for the Regular Board Meeting was at 4:30 pm.

All Board members were present.

Also present were: Michael Bemis, Executive Director; Charles Whittaker, Materials Recovery Facility and Transportation Manager; Michelle Leggett, Recycling Coordinator; Timothy DeGraff, CPA, Agency Controller; and Counsel and Secretary Stephen Wing.

**PUBLIC COMMENT** – No Public Comment was received.

**APPROVAL OF MINUTES**

The Minutes of the March 24, 2009 Regular Board Meeting will be presented for approval at the next meeting.

**COMMUNICATIONS & ANNOUNCEMENTS**

The next Regular Monthly Business Meeting will be held on Tuesday, May 19, 2009 at 4:30pm.

**GENERAL REPORTS**

The Board received and reviewed the MSW Tonnage Report, the Recycling Tonnage Report and the Leachate Collection Reports.

Mike Bemis reported that the Agency received 8955 tons of solid waste in March, 20% off budget. Bad economic times continue to impact the tonnage. The Agency received 1400.64 tons of all recyclables in March 2009, which was 46.66 tons less than last year.

The total leachate collected at the Ulster and New Paltz landfills in March was 350,000 gallons, 164,500 less than 2008.

**FINANCIAL MATTERS**

The Treasurer's Report was presented by Tim DeGraff. Revenues continue to be down because of lower solid waste and recycling revenues. February's net operating loss of \$21,800. Recycling service fees were doubled over last year and sales of recyclables were \$219,000 less than a year ago. Expenses for the audit and higher reported salaries made February operating costs higher than January.

Mike Bemis reported that Agency staff will meet next month with County staff to discuss budget and financing issues.

**Resolution No. 2132-Re: Resolution Authorizing and Approving the Payment of Requisition No. 90 – UTS Door Repair - 2006 Construction Fund**

This resolution was moved by Michelle Rodden and seconded by Don DeBrosky.

Tim DeGraff explained that the purpose of this resolution was to pay the contractor on this project, which had been previously authorized by the Board, and was completed on time and on budget.

Vote: 5 in favor none opposed.

**Resolution No. 2133-Re: Resolution Authorizing and Approving the Payment of Requisition No. 91- Marathon Baler Repair – 2006 Construction Fund**

This resolution was moved by Michelle Rodden and seconded by Don DeBrosky.

Tim DeGraff explained again that the purpose of this resolution was to pay the contractor on this project, which had been previously authorized by the Board, and was completed on time and on budget.

Vote: 5 in favor none opposed.

**Board Notification – Closure of Dormant Bank Accounts;**

Tim DeGraff described the various accounts at the Bank of America that were closed because they were no longer needed, thus saving fourteen hundred dollars annually in fees. It was suggested by Steve Noble that we establish some accounts with locally owned banks.

**ADMINISTRATIVE MATTERS**

**Resolution No. 2134- Re: Amendment of By-Laws;**

Resolution was moved by Michelle Rodden and seconded by Don DeBrosky.

Steve Wing explained that this resolution amends the Agency Board's By-Laws to provide that the review of the performance of the management staff members appointed by the Board be part of the duties of the chairman.

Vote: 5 in favor none opposed.

**Board Notification – Capital Projects Update**

Mike Bemis said Smith Labs' second set of leachate results has been received by the Agency and provided to Michelle Rodden and Katherine Beinkafner for review, and will be sent to Dvirka & Bertolucci tomorrow.

The work on the Ulster Transfer Station safety improvements will commence this week after a delay over drawings – the contractor has moved equipment and materials to the site.

The landscaping project has been advertised and bids are returnable on May 1<sup>st</sup>. Four sets of bid packages have been provided to potential bidders. The results will be presented to the committee for review.

Stefan Yarabek is reviewing potential grants. Mike Bemis went to the Bridge Authority seeking cooperation and a financial contribution to the project. The Bridge Authority agreed to grant easements for the planting of trees on its property, and to assist in maintaining the plantings. However, budgetary constraints prevented them from participating financially.

**Board Notification** - Ulster County Comptroller's Office Visit on April 15, 2009;

Mike Bemis spoke about the visit to the Agency by newly elected Comptroller Elliot Auerbach and his Assistant Laura Walls. They discussed the purpose of their office and outlined the services they would be providing. The meeting was general in nature, and Agency staff acquainted the participants with the Agency's operations and responsibilities as they relate to the County.

**Board Notification** - Town of Plattekill MRDC Report;

Mike Bemis described the Agency's efforts to help Plattekill on its transfer station problems. The Agency has arranged for Plattekill residents to use the Gardiner MRDC temporarily while the Town studies its site and cleans it up. An Agency employee has been stationed at Gardiner to assist that town's staff.

The Agency will consult with the Town, at its request, after it resumes responsibility for operating its MRDC, and will continue to service the MRDC under the existing contract between the Agency and the Town.

**Board Notification** - April 18, 2009 Household Hazardous Waste and Electronics Collection Day Report;

Michelle Leggett handed out a brief summary sheet of the event and discussed certain highlights - 253 patrons were assisted, 81% of the appointments were scheduled on the Agency website. Phoenix Rodden and other volunteers helped tremendously. Electronics received totaled 35,285 lbs.

**Board Notification** - Review of 2008 Annual Recycling Report;

Michelle Leggett described the report, filed annually with NYSDEC. Less solid waste was generated in the County last year. The information received this year was more accurate and detailed. The recycling rate is 39.7% for 2008. Michelle Leggett passed out charts to the Board Members reflecting the historic recycling rate.

An EFC green energy grant is available for alternative energy projects. Agency staff is pursuing a solar system for the MRF and possibly other facilities as well. The Agency, a public benefit corporation, can apply on its own behalf.

The Forsyth Center and Saugerties Schools will be visited by Michelle Leggett as part of her outreach efforts. She is also teaching an environmental class at Onteora schools next week.

**OLD BUSINESS**

Michelle Rodden reminded Board Members that the Public Authority Financial Disclosure forms needed to be sent to County Executive Hein's Office by May 1, 2009.

Mike Bemis provided a breakdown of the waste received at the New Paltz and Ulster Transfer Stations, as requested by Steve Noble.

Mike Bemis also described a Westchester County fuel from cooking oil program as requested by Fred Wadnola.

### **NEW BUSINESS**

Mike Bemis stated that R.S. Lynch wants to present to the meeting on landfill solar power systems . Amanda Lavalle will be called to be there at the next meeting.

Michelle Rodden spoke about the hearing on the plastic bag fee legislation at the County – and suggested that interested parties should attend. Steve Noble asked about the Board taking a position on this. A discussion ensued. No consensus was reached – no collective statement will be provided by the Board.

Steve Wing advised the Board Members that a resolution adopting or revising policies in the areas of salary and compensation, time and attendance, whistleblower protection, defense and indemnification of officers and employees, prohibition of the extension of credit and the acquisition and disposition of property pursuant to the requirements of the Public Authorities Accountability Act was being referred to the Governance Committee by the Chairman, and would be considered by the Board Members at the May meeting.

Steve Noble raised questions about the impacts of the new bottle bill. Mike Bemis did not think it would have a big impact on the Agency because only water bottles are covered.

### **EXECUTIVE SESSION**

**MOTION** to enter into Executive Session to discuss work and/or salary history of individual employees was

**MOVED** by: Michelle Rodden and **SECONDED** by: Don DeBrosky.

**VOTE:** Ayes 5 Nays 0

Fred Wadnola left the meeting at 6:45 pm during the Executive session.

**MOTION** to adjourn Executive Session and re-enter into Regular Session was

**MOVED** by: Michelle Rodden and **SECONDED** by: Steve Noble

**VOTE:** Ayes 4 Nays 0 Absent 1 (Wadnola)

### **ADJOURN**

**MOTION** to Adjourn the April 21, 2009 meeting at 7:03 pm was approved unanimously.

The above transcribed Minutes of the April 21, 2009 Board Meeting were **UNANIMOUSLY APPROVED** by the Board

Vote: Aye 4 Nay 0 Absent 1 (Wadnola out of the room)

Date: May 19, 2009

The Secretary maintains the minutes of the Executive Session in a separate, confidential file.