

**ULSTER COUNTY RESOURCE RECOVERY AGENCY  
MINUTES OF THE REGULAR BOARD MEETING  
April 6, 2010**

The Ulster County Resource Recovery Agency held a Special Board Meeting on April 6, 2010 at 999 Flatbush Avenue, Town of Ulster, NY.

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

The following Board members were present: Don DeBrosky, Steve Noble, Katherine Beinkafner, Leon Smith and Dennis Helm.

Also present were: Michael Bemis, Executive Director; Timothy DeGraff, CPA, Agency Controller; Kelly Utter, Confidential Executive Secretary; and Counsel and Secretary Stephen Wing via phone conference.

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

**COMMUNICATIONS & ANNOUNCEMENTS**

**GENERAL REPORTS**

**ADMINISTRATIVE MATTERS**

**Resolution No. 2162 -Re: Authorization, Approval and Ratification of Agency Payments;**

Resolution moved by Steve Noble and seconded by Dennis Helm.

Mike Bemis said that the Resolution was for authorizing and approving the selection of a company for Solid Waste Transportation Services for the hauling of waste to out of county landfills. The intent was to award both Primary and Secondary services, however the full financial evaluation of the primary services is not yet complete. Secondary services evaluation is complete.

Mike discussed the interviews of haulers, Santaro, D&N, Sunshine and WeCare and requested from them a list of references, financial reports, assets, etc. Some haulers had questions and missed some details of the bid documents, i.e. Santaro wasn't aware that they had to utilize the thruway and was unsure of what queuing meant.

The Agency is in the process of completing the report for its recommendation of Primary Services. Mike Bemis discussed the **Report of Staff Re: Request for proposals: Transportation of Solid Waste Services;** see attached.

The Agency only received three Bids for Secondary Services, Tommy DeCicco, Mower and Sons, and Spada Trucking, Inc.

Spada Trucking, Inc. does need to purchase 48 ft trailers to haul for the Agency upon being awarded the Bid. Their financial report was a personal financial report and not a business report. Based on the personal report, it was apparent that he would not have any financial problems with purchasing the equipment.

The Board Members questioned whether or not Spada Trucking, Inc. was aware of the number of trucks that will be required as well as whether or not Spada Trucking, Inc. had sufficient staffing to keep up with the terms of the contract.

Mike said that he received the bid from Spada Trucking and they were the lowest bidder for Secondary Services. Tim looked at the financials, Mike called the references. Spada Trucking, Inc. was to fax to the Agency a document that they are aware that they need to purchase 48' trailers and not 45' trailers. A fax was expected to be received by the Agency from Spada Trucking, but as of the time of the meeting, was not received.

Mike said there are other local haulers, one with two trucks and one with one truck, that currently subcontract under other haulers already for the Agency.

Previous contracts did not stipulate details such as waterproof tarps, leak proof trailers and that the trucks were required to run on the NYS Thruway. When going out for bid this time, details were stipulated. Stronger indemnification clause, fairly specific on all of the operating rules, insurance limits are at a level that was recommended by the Agency's insurance company. Agency can object to any subcontractors that the contractor employs, however the contractor is fully responsible for the actions of the subcontractor.

*Should this discussion be placed under the Resolution, being as though it (primary hauler) is related but not directly related to the decision of the Secondary Hauler.*

*Mike discussed with the Board the fact that the Agency has the right to choose more than one hauler for Primary and Secondary. For instance, one hauler to do all the primary work as opposed to two haulers doing the work for the primary.*

*Leon wanted to know if we could go back to other bidders and ask them to 'sharpen their pencils' so to speak, Steve stated no, that no bid can be changed.*

*WeCare had submitted an analysis that showed the fuel savings that was likely to result if they ran tandems but it was not a guarantee.*

*At the Bid opening, in front of all proposers there, a change was made due to D&N had a tag in their bid on the 'cost of living' increase. It was asked of all proposers if they had utilized the cost of living increase in as part of their proposal.*

*Leon stated that he didn't understand the fuel savings whether taking one trailer or two (tandem loads). Mike explained how tandem loads worked*

*Question was raised as to whether or not fuel allotment for tandem trailers was included in the bid document. The hauler submitted that fuel necessary for tandem trailers needed would be 136 gals, whereas the bid document states 110 gals. Steve Noble stated that it appears as if the Agency needs to rebid the work out to clarify several issues. Discussion ensued. All tandem loads would be a 25% savings on per ton pricing for disposal.*

*Steve Wing stated that he feels the Agency should analyze WeCare's proposal based on what they submitted in their proposal, i.e. 136 gallons of fuel per trip for tandem loads.*

Dennis asked if Tim recommended Spada Trucking based on his financial analysis and if Mike felt confident in recommending Spada based on his interviews, both said yes. Steve Noble asked if Mike was confident that Spada Trucking was going to get the appropriate equipment as required. Mike said yes.

Resolution No. 2162 was approved.

Ayes: 5 Nays: 0.

**TIMS NOTES:** (for Steve Wings reference)

- Discussed reasons for Primary & Secondary
- Discussed WeCare Bid with tandems in Kingston only
- Interviews were conducted
- Low Bidder was Santaro
- Meeting next week (4/15/10)
- Leon asked about why Spada's bid was noted as "Bid Incomplete"
- Did Spada put in writing:
  - If they have the equipment
  - Spare trailers
  - Primary or Secondary
  - Agree to a quantity of trailers to purchase
  - Does secondary need a yard dog tractor?
  - Can they staff the job
  - Does Spada know the extent of the work involved
- Letter from Spada was read
- Don – add "48 ft trailers" to contract language
- Holmes did not bid
- What equates to a 'failure to provide services'
- Mike mentioned additions to the new contract (water proof tarp, etc.)
- Do haulers have to have their subcontractors approved by us?

The next Special Board Meeting has been scheduled for Thursday, April 15, 2010 at 4:30pm.

Budget Review

At the last meeting a question was raised as to how the Agency was going to accommodate the new Director of Operations and Safety salary as well as the salary for Melinda France. Tim stated that there were some savings in health insurance, liability insurance and fuel costs were over budgeted as of April 2010.

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURN**

**MOTION** to Adjourn the \_\_\_\_\_ Special \_\_\_\_\_ meeting was:

**MOVED** by: \_\_\_\_\_ Steve Noble \_\_\_\_\_      **SECONDED** by: \_\_\_\_\_ Don DeBrosky \_\_\_\_\_

**VOTE:** Ayes 5      Nays 0      Absent 0

**ADJOURNED:** \_\_\_\_\_ 6:20 \_\_\_\_\_ PM

The above transcribed Minutes of the April 6, 2010 Special Board Meeting were **UNANIMOUSLY** approved by the Board

Date: \_\_\_\_\_ April 27, 2010 \_\_\_\_\_

The Secretary maintains the minutes of the executive session in a separate, confidential file.