

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
May 19, 2009**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on May 19, 2009 at 999 Flatbush Avenue, Town of Ulster, NY.

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

The following Board members were present: Chairman Michelle Rodden, Vice-Chairman Fred Wadnola, Treasurer Don DeBrosky, Member Steve Noble and Member Katherine Beinkafner
Also present were: Michael Bemis, Executive Director; Charles Whittaker, Materials Recovery Facility and Transportation Manager; Timothy DeGraff, CPA, Agency Controller; Michelle Leggett, Recycling Coordinator; and Counsel and Secretary Stephen Wing.

PUBLIC COMMENT – No Public Comment was received.

APPROVAL OF MINUTES

The Minutes of the March 24, 2009 were approved unanimously, and the April 21, 2009 Regular Board Meetings were reviewed and approved 4 to 0- 1 absent (Fred Wadnola being out of the room).

COMMUNICATIONS & ANNOUNCEMENTS

The next Regular Monthly Business Meeting will be held on Tuesday, June 16, 2009 at 4:30pm.

GENERAL REPORTS

Mike Bemis reviewed the recent article on the Dutchess County Resource Recovery Agency.

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 10,119 tons of solid waste in April, 21% off budget for the month and 18% for the year. Bad economic times continue to impact the tonnage.

The Agency received 1350 (rounded) tons of all recyclables in April 2009, which was 197.43 tons or 13% less than April of last year and 6.5% less over the first 4 months of this year compared to last year. Some revenue for recycled materials is coming in – it appears that we are past the bottom of the market.

The total leachate collected at the Ulster and New Paltz landfills in April was 302,750 gallons, 26,250 less than 2008.

Michelle Leggett provided graphs from the annual recycling report comparing the past years to 2008, and two other documents for the Board, one showing a comparison of recycling practices and rates of recycling of the municipalities, and the second showing her recycling activities for April and May. Michelle Leggett explained some of the idiosyncrasies of the individual municipalities, and why the comparison could not be used by anyone to discredit or credit the recycling in a specific municipality. It does show that a “pay as you throw” system works well.

FINANCIAL MATTERS

The Treasurer's Report was presented by Controller Tim DeGraff. Revenues continue to be down because of lower solid waste and recycling revenues, but because of lower operating costs and some revenue increases, March's net operating revenue was a positive \$54,995, and approximately \$73,000 in the first quarter of the year. Recycling service fees continue to be approximately two times those of 2008, but revenues from sales of recyclables to date are \$312,000 less than those for the same period last year.

Mike Bemis reported that Treasurer Don DeBrosky, Agency Financial Advisor Rick McCarthy and Agency staff met with County Executive Mike Hein and County staff to discuss 2010 budget and financing issues. The Agency had provided information about our fiscal issues prior to the meeting. At the meeting, the Agency was advised, that, under the new charter, its proposed budget is to be submitted to the Executive and not the Legislative branch. Various bond refunding alternatives were reviewed in hopes of reducing current Agency debt service, but the cost benefit of refunding is questionable. A follow up meeting will be held in June. The Agency budget process will begin in earnest in July.

ADMINISTRATIVE MATTERS

Resolution No. 2135- Re: Authorization and Approval of Miscellaneous Policies;

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

Steve Wing explained that this resolution, which had been presented to the Governance Committee and reported out favorably by that Committee, provided the statutory statement of board duties and by laws are attached to the policies, codifies the following Agency policies: Board Duties and Responsibilities; Salary and Compensation, Time and Attendance; Whistleblower; Defense and Indemnification; Prohibition of Extension of Credit and Acquisition and Disposal of Property. These policies are required to comply with the Public Authorities Accountability Act. Punch clocks as opposed to hand scanners was discussed. The Agency didn't feel that it was cost effective.

Vote: 5 in favor none opposed.

Board Notification - Capital Projects Update

The landscaping project was awarded to Pat Scanlan Landscaping, Inc., a Rockland County firm which submitted the lowest bid (\$75,146) and had good recommendations. The award was approved by the project committee, and work has begun. Projected completion is within two weeks. Notices to unsuccessful bidders returning their bid security have been sent. Revised plans will keep existing trees and new trees will be used to enhance coverage in a certain area. We are doing brush removal with in-house personnel.

At Steve Noble's suggestion, a sign describing the project will be posted on the property. The Agency has attempted to contact the Ulster Town Supervisor to notify him of the project. The County, Bridge Authority and State DOT have been contacted.

The Board concurred with the project committee's action.

Mike Bemis said the Agency has not yet received a report from Dvirka & Bartilucci.

The work on the Ulster Transfer Station continues. Mike Bemis reviewed pictures of the project work to date. The job is 70 to 80 percent done. He stated that steel plating for the push wall should have been part of the design. A change order will be required to install the steel protection because it was not included in the plans from the engineer. A change order will be required, and the price is estimated to be over \$10,000. Mike Bemis said he had obtained a quote for this addition earlier and the price quoted was about \$35,000. He and the Board agreed that this cost was way too high. The Board Members commented that the steel buffer should have been part of the scope of the work and they requested counsel to review the engineer's agreement to determine if the engineer has responsibility for this oversight. In the meantime, Mike Bemis will obtain quotes for the work, and will proceed to implement the work after he has advised the Board Members of his actions. The Board will consider ratification of his actions at the next meeting. This is being done to avoid delaying the project and incurring even further cost. Again in response to Board Members' questions, no further contingency monies were available for the additional the steel protection. However, Mike Bemis advised that funds were available in the 2006 Bond Issue.

Board Notification - Town of Plattekill MRDC Update

Mike Bemis reported that the Agency has provided advice and guidance to the Town of Plattekill, which has begun operating its MRDC. The Town requested that assistance under the existing contract between the Agency and the Town. The Agency continues to service the MRDC under that contract.

Fred Wadnola excused himself from the meeting.

Board Notification - Potential Savings through Solar and High Efficiency-TSEC

Michelle Leggett reported that the EFC green energy grant did not match up with our situation, but the Agency did pursue solar initiative efforts with The Solar Energy Consortium (TSEC) representatives TSEC Director Vince Cozzolino and William Cox, who, at the request of the Agency assessed the use of solar energy at the MRF. It was determined that the MRF was an ideal location for a photovoltaic energy project. A follow-up meeting will be held to discuss grant opportunities and the use of SUNY New Paltz engineering students to work on the project. Mike Bemis also requested that TSEC look at various energy saving options for the lighting in the Ulster Transfer Station. LED lighting was a preferred alternative. Steve Noble suggested NYSERDA as a source of ideas in this matter.

OLD BUSINESS

Michelle Rodden reminded the board members to hand in disclosure packets to the County Executive's office.

Mike Bemis reported that a proposed discussion on use of solar systems at the Agency's closed landfills to be presented by R. J. Lynch Co. was cancelled because the Agency did not think that that application was the best alternative for the landfills. However, TSEC will look into whether or not the Ulster closed landfill would be a good opportunity to install solar.

NEW BUSINESS

Steve Noble noted that the Code Enforcement officer in Kingston was laid off.

ADJOURN

Motion: Michelle Rodden

seconded: Don Debrosky

MOTION to Adjourn the May 19, 2009 meeting at 6:05 pm 4 in favor, 1 absent (Fred Wadnola)

The above transcribed Minutes of the May 19, 2009 Board Meeting were **UNANIMOUSLY APPROVED** by the Board

Vote: Aye 5 Nay 0 Absent 0 ()

Date: June 16, 2009