

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
October 13, 2009**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on October 13, 2009 at 999 Flatbush Avenue, Town of Ulster, NY. It was preceded by a public hearing on the 2010 budget. There were no speakers at the public hearing.

Roll Call for the Regular Board Meeting was at 4:38 pm.

The following Board members were present: Chairman Michelle Rodden, Treasurer Don DeBrosky and Members Steve Noble and Katherine Beinkafner. Vice-Chairman Fred Wadnola was not present.

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 September 8, 2009 Regular meeting were reviewed and approved 4 to 0, 1 absent (Wadnola).

COMMUNICATIONS & ANNOUNCEMENTS

The next Regular Monthly Business Meeting is scheduled for Tuesday, November 17, 2009 at 4:30pm.

GENERAL REPORTS

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

Mike Bemis reported that the Agency received 14,613 tons of solid waste in September, 3457 tons over budget for the month. We are approximately 319 tons less than the budgeted tons for the year. The total reported is 66,505 tons. The tonnage amount was higher in September because of the Waste Management contract. More tonnage will be sent to Seneca Meadows so that we comply with our put or pay contract of 100,000 tons.

The Agency received 1383 (rounded) tons of all recyclables in September 2009, which is 125 tons less than September of last year and 894 tons less for the first 9 months of this year compared to last year, or 5% less than last year. Mike Bemis reviewed the revenue commodity charts reflecting the progress this year – we are doing better as the year goes on, but more volume is needed.

Michelle Leggett presented the recycling program update. She passed out information on the HHW day at which 405 persons were served (approximately 45 people cancelled). 80% of the participants were scheduled on our web-site. 43,580 lbs of electronics were collected. Don DeBrosky volunteered at the HHW site, passing out reusable shopping bags. Don DeBrosky was impressed with the positive attitude of the Agency staff and how smoothly the event went. Michelle said it was a great team effort between all the administrative and maintenance staff with preparing the building, scheduling residents and holding our largest event to date.

DEC is sponsoring a household medicine collection day. We have forwarded the information on to our customers. Steve Noble advised that an EMC member is following through with the idea that medicines be collected at the HHW day, which needs to be reviewed. Steve Noble said that some people complained about our not accepting cash at the HHW day. Tim DeGraff indicated that the Agency strongly discourages the acceptance of cash due to its inherent risk, but does accept it when exact change is available. This procedure is the same for our HHW day as it is for our daily operations.

The total leachate collected at the Ulster and New Paltz closed landfills in September 2009 was 183,750 gallons, 80,000 gallons more than collected in September of 2008. 2009 leachate collection is 12% higher than last year.

FINANCIAL MATTERS

The Treasurer's Report was presented by Controller Tim DeGraff. Tons were down from August. As a result, revenues were down. Sale of Recyclables was lower due to the sale of aluminum and natural plastic loads in July. Also, August included sale of surplus equipment revenues. The only expense line of note is the CLF monitoring which will return to normal levels next month. July included Sterling Environmental's annual landfill reports; August included lawn mowing and cap slide repair. The net operating revenues were a positive \$309,867, but fund balance for the month was at a deficit \$78,891 due to the payment of debt service. The year to date fund balance is consistently lower than last year, but the gap is closing. It is believed that fund balance will be a positive by the end of the fiscal year.

Resolution No. 2146-Re: Approval of 2010 Agency Budget and Municipal Tipping Fee of \$89.00 Per Ton;

Resolution moved by Michelle Rodden and seconded by Don DeBrosky.

Steve Wing said that the resolution and the attached budget represent the final step in the Agency's budget adoption process. The proposed 2010 budget had been sent to the County and the municipalities, and a public hearing was held. Approval by the Board is the final step in the process.

Steve Noble asked if the prior cost was \$89 per ton. He also suggested that our letter include an update of our projects and that we stress that recycling is mandatory.

Ayes: 4 Nays: 0; 1 Absent (Wadnola).

Resolution No. 2147-Re: Amendment to Awarding Construction Contract for Safety Improvements at the Ulster Transfer Station to Brush Construction;

Resolution moved by Michelle Rodden and seconded by Don DeBrosky.

Mike Bemis stated that a floor repair at the Ulster Transfer Station was scheduled as additional work at \$9,500. The cutting of the floor turned out to be more expensive because of the increased thickness of the existing floor near the pit curb. The resolution requests an increase of 2% as an amendment to the project cost.

Ayes: 4 Nays: 0; 1 Absent (Wadnola)

Resolution No. 2148-Re: Payment of Requisition No. 95 – Capital Expenditures;

Resolution moved by Michelle Rodden and seconded by Don DeBrosky.

This resolution is to close out the Ulster project – the payment for the remaining amounts in the project, plus the amounts approved in resolution 2147.

Ayes: 4 Nays: 0; 1 Absent (Wadnola)

Board Discussion – Review Five Year Capital Plan;

Mike Bemis handed out a revised capital plan. The EPA turned down our application for the roll-off compactors. We will have a debriefing with EPA on the proposal on 12/7/09. Light replacement funded by a NYSERDA grant could be done with a municipality, as suggested by Steve Noble. The Agency will continue to explore the possibilities. We continue to pursue replacement of the service truck; the Agency staff truck is going to be used by the mechanics until the new vehicle is received. Resolutions for the 40 yard containers and the loader are on the agenda for approval. The small vehicle drop-off will not be constructed at this time. Funds for the Ulster and New Paltz CLF leachate project will be retained in the Capital Plan pending further progress on the project. The 3rd round of leachate testing has been received, but MTBE was not tested. That needs to be done as soon as possible. Michelle Rodden reviewed the DEC's ammonia release control level, which is 10 mg/l. Our testing has shown levels between 4 mg/l and 7.5 mg/l. DEC may be amenable to a SPDES permit allowing discharge of leachate to the environment, subject to testing and penalties.

ADMINISTRATIVE MATTERS

Resolution No. 2149-Re: Procurement of 40- Yard Containers;

Resolution moved by Michelle Rodden and seconded by Don DeBrosky.

Mike Bemis advised that bid specs were issued and sent to container manufacturing, after reviewing revisions to the existing Agency containers. The bid results showed Bucks as the lowest bidder and they had the strongest container. The result of this procurement and the repair work on 7 containers now just completed means we will supply 17 new and updated containers to the Agency's inventory.

Ayes: 4 Nays: 0; 1 Absent (Wadnola)

Resolution No. 2150-Re: Procurement of Waste Handler Loader;

Resolution moved by Michelle Rodden and seconded by Don DeBrosky.

Mike Bemis discussed the need to replace the spare loader. We decided to buy a new loader and use the one being replaced as the backup. Caterpillar is our standard brand for this kind of equipment. Prices were compared to a Volvo model. The cost of the Caterpillar machine is \$150,000, including a demo package, hard tires and better warranty. This information is attached to the resolution. Tim DeGraff explained that the Agency will borrow money from itself to purchase the machine and pay itself back at the rate of \$25,000 per month. This preserves our capital funds and avoids public borrowing. Mike Bemis is pursuing extended warranties with this company. H.O. Penn is the only local distributor of Caterpillar equipment. Michelle Rodden asked if we needed to go out to a formal bid. Steve Wing said no – that by standardizing the brand and where only one distributor is eligible to sell to us, a formal bid is not required. The proposed purchase price was the subject of an informal procurement process. The Board determined that a used machine did not make sense, given the cost of the new machine compared to the cost of a used machine. Expected delivery of equipment: in 4 months.

Ayes: 4 Nays: 0; 1 Absent (Wadnola)

Board Notification – RFP for cleaning of Transfer Stations;

Mike Bemis said that the Agency must clean both transfer stations and repair the venting of the New Paltz transfer station. The bid for cleaning was prepared in house. It looks like at least four companies will bid on the cleaning project. Mike Bemis is looking for an engineer to work on the specifications for the venting project at New Paltz.

Board Discussion – Status of Recycling Law Amendments;

Michelle Leggett discussed the proposed amendments to the recycling law being considered by the Recycling Oversight Committee for recommendation to the County Legislature. Both Steve Noble as UCEMC member and Katherine Beinkafner as UCCRA Board member attended this meeting. The amendments are mostly mundane definitional changes. Steve Noble said that the definitions made the law much clearer. The next meeting of the Recycling Oversight Committee will be in November.

OLD BUSINESS

Michelle Leggett said that we would not go to the intern recruiting day at SUNY New Paltz. Michelle Rodden had provided information on the day. All agreed that e-mail recruitment was more effective.

Steve Noble asked if Michelle Leggett was getting the help that she needed. He reviewed the Agency website and he was pleased with the presentation. Melinda France is assisting Michelle Leggett, now that she is a full time employee. Melinda France is also assisting Tim DeGraff with listing bills as they are received to increase efficiency in payment.

Michelle Rodden asked if we make purchases on a tax exempt basis. Tim DeGraff said we do, even for credit card purchases. In so far as late payments are concerned, Tim DeGraff has streamlined the payment process. Our bills are generally paid on time. He will report next meeting on his progress with receiving credit for service charges and finance fees.

Mike Bemis reported that the third round (spring, summer, and fall are now covered) of landfill samples have been analyzed by Smith Labs. He needs to contact them again since MTBE was left off the report.

Steve Noble asked about the purchasing issue (meals, parties). Michelle Rodden indicated that the proposal received from staff will be reviewed and amended by her and Don DeBrosky, and then reported to Board members for consideration.

Michelle Rodden brought up the Business to Business event at the Community College and indicated that the Agency should attend to stress our recycling plan and make the Agency's mission known and command a new presence with businesses in the county.

NEW BUSINESS

Michelle Rodden spoke about the Ulster County Substance Abuse Policy and Mike Bemis said the Agency would look into it.

Mike Bemis said informational sessions for Agency employees on the H1N1 flu virus and the EAP program were held in September.

ADJOURN

Motion: Michelle Rodden

Second: Don DeBrosky

MOTION to Adjourn the October 13, 2009 meeting at 6:41 pm was approved 4 in favor 0 opposed 1 absent (Wadnola).

The above transcribed Minutes of the October 13, 2009 Board Meeting were **UNANIMOUSLY** approved by the Board.

Vote: Aye 4 Nay 0 Absent 1 (Wadnola)

Date: November 17, 2009