

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
March 19, 2012**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on March 19, 2012 at 999 Flatbush Avenue, Town of Ulster, NY.

The proceedings were convened at 3: 30 pm.

The following Board members were present: Chairman Leon Smith, Vice Chairman Dennis Helm, Treasurer Al Teetsel, and Member Catherine Nilsen. There is one vacancy.

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

PUBLIC COMMENT

There was no public comment.

CHAIRMAN'S COMMENTS

Leon Smith spoke about the history of the Agency. It was created by State legislation at the request of the County Legislature for the purpose of managing solid waste generated in the County. An agreement between the Agency and the County provides that the Agency must plan and implement a solid waste management system, and the County must provide sufficient waste to the Agency so that it can meet its costs to operate the system or pay a net service fee. Lack of effective support by the County for siting a landfill in the County and flow control has hampered the Agency's operations. And yet, the Agency has developed and operates a successful solid waste and recycling system at a fair cost to its residents and taxpayers, with a portion of the costs being borne by the users and a portion being borne by the taxpayers (through the net service fee). A joint committee of Agency Board and County Legislators was formed last year but has only had one meeting. More cooperation between the Agency and the County is needed to ensure the future of the solid waste and recycling system.

PRESENTATION OF RICK MCCARTHY OF ENVIRONMENTAL CAPITAL

Rick McCarthy is the Agency's financial advisor. He explained his role with the Agency. He spoke about refunding a portion of the Agency's existing debt. He provided a written presentation which is on file with the Agency. McCarthy described the proposed refunding which would save the Agency \$250,000, based on current interest rates, and would not extend the defeasance schedule. County Legislator Wishnick, who had been given permission to ask questions, asked Mr. McCarthy to explain using bond insurance. If bond insurance is obtained the bonds would sell for a price based on the insurer's rating and not the Agency's. This would be reviewed to determine if bond insurance is feasible. Dennis Helm asked about the nature of

the fees to be charged for underwriters and lawyers. Those charges are estimated and already figured into the results. The Board's consensus was to proceed with the refunding.

APPROVAL OF MINUTES

The minutes of the regular meeting held on February 21, 2012 were approved.

COMMUNICATIONS & ANNOUNCEMENTS

The next regular meeting is scheduled for Monday, April 16, 2012 at 3:30 pm.

GENERAL REPORTS

Tim Rose gave the MSW, recycling, and leachate reports. We exceeded our projected tonnages of sludge and solid waste for February, 2012, as we received 12, 035 tons of MSW and 226 tons of sludge. More metal and cardboard has been pulled out and diverted from the waste stream. 862.94 tons of recyclable material (less than February 2011) was received at the MRF. 190,000 gallons of leachate were collected at the Ulster CLF in February, 2012, and 119,000 gallons were collected at the New Paltz CLF.

The next household hazardous waste day is April 28, 2012. Tim Rose said that these days are very successful.

FINANCIAL MATTERS

Tim DeGraff presented the Treasurer's Report for February 2012. Funds were down generally, but the sale of recyclables made up for any loss. Expenses were up. However, our operating revenues are \$100,000 higher than last year.

The MRF Profit & Loss statement shows a net revenue of \$119,965 in January, 2012.

The Board approved the Treasurer's Report.

Tim Rose reviewed the Flood Relief program status. Several municipalities are still processing their FEMA claims.

Resolution No. 2249 re: Terminating Insurance Reserve fund;

Moved by Leon Smith and Seconded by Dennis Helm.

Tim DeGraff explained that this resolution would combine reserve accounts thus reducing costs. He recommended that \$100,000 of the balance in the Insurance Reserve Fund be earmarked for the deductible under the environmental liability insurance policy.

Vote: 4 in favor, 0 opposed, 1 Vacancy.

ADMINISTRATIVE MATTERS

Resolution No. 2250 re: Authorizing and Approving Put or Pay Agreement with County Waste and Recycling Services, Inc.;

Moved by Leon Smith and seconded by Dennis Helm.

Tim Rose explained that this resolution authorizes an agreement with the successor of County Waste for put or pay delivery of a minimum of 1800 tons of solid waste each month. The cost of disposal will decrease if a greater amount of solid waste is brought in to the Agency. The agreement expires December 31, 2012.

Vote: 4 in favor, 0 opposed, 1 Vacancy.

Resolution No. 2251 re: Amending Employment Agreement with Stephen J. Wing;

Moved by Leon Smith and seconded by Dennis Helm.

Leon Smith described the change to the agreement which extends health coverage through the end of the contract on December 31, 2012. Costs will be less than previously incurred.

Vote: 4 in favor, 0 opposed, 1 Vacancy.

Resolution No. 2252 re: Authorizing and Approving Award of Proposal for Municipal Sewage Sludge Transportation Services and Agreement Therefore;

Moved by Leon Smith and seconded by Dennis Helm.

Tim Rose described the results of the procurement process which achieved lower costs through the end of the year. The successful proposer was Sunshine Bulk Commodities, the current hauler.

Vote: 4 in favor, 0 opposed, 1 Vacancy.

OLD BUSINESS

Tim Rose discussed the potential use of in place materials to make repairs at the closed Town of Ulster Consolidation Landfill. This would reduce the costs of the project, which is subject to FEMA reimbursement.

Our engineers are confident that we can lower the cost of the leachate at the New Paltz closed landfill. Tim Rose is reviewing a preliminary report.

The DEC permit modification for the Ulster Transfer Station has been received. This increases capacity from 440 to 550 then to 650 tons per day, and provides approval for the pilot project for organics composting, should the Agency decide to proceed.

The Board discussed a request by Riverkeeper for reduced rates for material from a clean-up project on the Hudson River. The Board determined that it must remain consistent with its current policy not to grant such request, no matter how noble the effort, unless and until the overall policy is changed.

EXECUTIVE SESSION

Motion to enter Executive Session re: Negotiations under the Taylor Law and Employment and Credit History of a certain company was made by Dennis Helm and seconded by Catherine Nilsen.

Ayes 4 Nays 0 Time 4:45 PM.

Motion to enter into Regular Session was made by Dennis Helm and seconded by Al Teetsel.

Ayes 4 Nays 0 Time 5:39 PM.

ADJOURN

Motion to Adjourn the Regular meeting was:

Moved by: Moved by Dennis Helm and Seconded by Al Teetsel.

VOTE: Ayes 4 Nays 0

ADJOURNED 5:43 PM

The above transcribed Minutes of the March 19, 2012 Regular Meeting were **UNANIMOUSLY APPROVED** by the Board.

Date: April 16, 2012

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