

## **NOVEMBER 18, 2013 REGULAR BOARD MEETING MINUTES**

### **ULSTER COUNTY RESOURCE RECOVERY AGENCY**

#### **MINUTES OF THE REGULAR BOARD MEETING**

November 18, 2013

The Ulster County Resource Recovery Agency held a Regular Board Meeting on November 18, 2013 at 999 Flatbush Ave, Town of Ulster, NY.

The proceedings were convened at 5:00 pm.

The following Board members were present: Chairman Leon Smith, Treasurer Al Teetsel, Member Charles Landi and Dominic Tagliafierro. Vice Chairman Catherine Nilsen was absent.

Also present were: Timothy Rose, Executive Director; Counsel / Secretary Kenneth Gilligan; Controller Tim DeGraff; Operations Manager Charles Whittaker, Compliance Officer Tom Briggs; Recycling Coordinator Michelle Bergkamp and Confidential Executive Secretary, Kelly Utter.

#### **PUBLIC COMMENT**

Leon Smith opened up the meeting for Public Comments.

Carl Belfiglio, EET Committee, asked the Board what the progress was with the amendment to the contract with regards to bonding. He said that he believed the EET Committee had sent the Board the amendment two months ago. He knows the process was started in July and had been delayed but he would like to get a resolution to the legislature in December, however to do so, he would need a resolution from the Agency Board by the end of November. Leon Smith stated that he would address the question in Chairman's Comments.

#### **CHAIRMANS COMMENTS**

Leon Smith stated that the Agency Board had been waiting for communications from the County Attorney and we just received that last week and now we are moving forward and now need to contact the Agency Bond Agents to answer the same questions that the County asked their Bond Agents. It's not at a standstill but it is not moving fast.

Ken Gilligan stated that he had asked for a copy of the opinion of the Bond Counsel for the County and he was at first told that it was confidential but then later received it on November 8<sup>th</sup>. Now we are going to refer the same question to our Bond Counsel. Charles Landi asked if we had to foil the information, Ken stated that we did not but it took 2 months to get the information.

Carl Belfiglio stated that he understands that the Agency has bond counsel and that if the County does their due diligence with bond counsel, the Agency would have done the same with theirs and then draw up the agreement. He thought that the Agency was told to get with their bond counsel first and then they would compare the information. Ken said that is not what was stated. The Agency was waiting for the decision of the County Bond Counsel.

#### **APPROVAL OF MINUTES**

The minutes of the October 15, 2013 Public Hearing were moved by Al Teetsel and seconded by Dominic Tagliafierro. Four in favor. None opposed. One Absent (Nilsen). The minutes of the October 15, 2013 Public Hearing were unanimously approved.

## **NOVEMBER 18, 2013 REGULAR BOARD MEETING MINUTES**

The minutes of the October 21, 2013 Regular Board Meeting were moved by Al Teetsel and seconded by Charles Landi. Four in favor. None opposed. One Absent (Nilsen). The minutes of the October 21, 2013 Regular Board meeting were unanimously approved.

### **COMMUNICATIONS AND ANNOUNCEMENTS**

The next Regular Monthly Business meeting has been scheduled for Monday, December 16, 2013 at 5:00pm.

### **GENERAL REPORTS**

#### **MSW**

Tim Rose gave the MSW and recycling tonnage reports and the leachate collection report. The MSW tonnage in was 10,770 which is 1,122 tons less than the projected tonnage of solid waste for October 2013. The Sludge tonnage in was 202 which is 42 tons less than the projected tonnage of sludge.

#### **RECYCLING TONNAGE**

The Recycling tonnage report, looking back at last October for commingle we did 232 and this year we did 142. Glass was 49 and this year it is 34, mixed news was 183 and is now 173. Single stream was 367 and now it is 674. The OCC was at 297 and is now 330.

#### **COMMODITY REPORT**

Tim Rose noted the commodity report in the Board packet. He reminded the Board that NR means the Agency did not receive a return phone call.

Al Teetsel moved. Charles Landi seconded. Four in favor. None opposed. One Absent (Nilsen).

#### **LEACHATE COLLECTION**

The leachate collection report, in October of last year for Ulster we did 210,000 and this year we did 106,000. In New Paltz we did 154,000 last year and 42,000 for this year.

#### **RECYCLING PROGRAM UPDATE**

Michelle Bergkamp reported that she, along with the Tim Rose, attended the annual New York State Association of Reduction Reuse and Recycling (NYSAR3) conference. NYSAR3 was created to provide statewide leadership on waste reduction, reuse and recycling issues and practices to improve the environment. At the conference/training last week, participants had the opportunity to learn about the latest recycling and composting trends, markets and policies through workshops, technical sessions and round table discussions. Michelle had been asked to participate in this year's conference as a panel speaker in the *Communication – How to Market Your Program* session. Michelle also notified the Board that she had been nominated for a position on the Board of Directors and that she had won and will serve a two-year term on the NYSAR3 Board of Directors.

The Agency now has a radio advertisement to promote the composting program and it also provides information to the public on purchasing Agency compost. The commercial will be featured on 101.5 WPDH as well as 94.3/94.7. The commercial will run multiple times a day totaling 276 times over a six week period. Michelle has a copy of the commercial for anyone interested in listening to it.

Michelle notified the Board that the letter was sent to the Town's regarding the options that they have available to them for electronics recycling. She told the Board that the Agency is now going to be using Sims Recycling

## **NOVEMBER 18, 2013 REGULAR BOARD MEETING MINUTES**

Solutions and that we will not be charged for any of the CRT's. Both her and Tim Rose will be working with the town supervisors on the issue and will be discussing it at the Ulster County Association of Town Supervisors meeting scheduled for Tuesday, November 19.

426.94 tons have been received to date in food waste for the composting. The Agency needs to expand the compost operations and will be adding another zone. This will increase the processing capacity square footage to approximately 5000. We have also contacted DEC because we are permitted to accept up to 1000 cubic yards of food waste a year. For the following year we anticipate more and more businesses so the Agency needs to increase the DEC threshold.

The Agency has well over 1000 cubic yards of compost windrowed and ready to be screened. We had used the screener from the town of Ulster for awhile and it just isn't efficient for the amount of material that we have. The Agency will have to screen within the next few weeks, so the Agency is looking into renting a trommel screen from other companies in the area that produce top soil.

Tim Rose stated that Leon Smith had asked how the composting pilot program was doing financially and Tim Rose stated that the project at this point is breaking even. He also mentioned that any capital work that is done, the Agency is reimbursed 50%. Al Teetsel requested a spreadsheet for the Board Members so they can see how the program is doing.

### **FINANCIAL MATTERS**

Tim DeGraff stated that for the month of October we had 10,770 tons of MSW. We are still waiting on some tickets from our hauler as well as the invoice from our HHW Event that occurred in October; so there are some estimates on the monthly report. October has turned out to be our best month throughout the entire year. We had net operating revenues of \$308,980. For the year, our net operating revenues are just under \$2.1 million dollars and the fund balance, with just two months left, is at a deficit of \$884,000 so we are right on line with where we were expecting to be. Even with starting Flow control 2 months into the year, we are still pretty much where we should be from a financial standpoint. What that means is that come March 1<sup>st</sup> when the debt service comes in, we will be able to cover it.

### **MRF COST CENTER ANALYSIS**

Tim DeGraff said that we had a good month for the MRF as well with the sale of recyclables at \$91,383, our OCC was up at \$41,081, we sold plastic loads this month for \$24,526 and we also had a tin can load for \$4,533. Our net income after the depreciation for the month of October was \$43,013 and our year to date is \$155,103.

### **ADMINISTRATIVE MATTERS**

Tim Rose mentioned that he Agency needs to appoint a Sexual Harassment Officer and at this time he would like to appoint Ken Gilligan as the Sexual Harassment Officer because technically Ken is not an employee of the agency, he is a contractor for the Agency and employees can bypass Tim Rose and go directly to Ken with any problems.

Al Teetsel motioned to appoint Ken Gilligan as the Sexual Harassment Officer. Charles Landi seconded. Four in favor. None opposed. One Absent (Nilsen).

Tim Rose mentioned that a memo will be attached to the employees paychecks letting them know who they can contact if needed.

### **OLD BUSINESS**

**NOVEMBER 18, 2013 REGULAR BOARD MEETING MINUTES**

Tim Rose mentioned that the floor repair is done and Charlie Whittaker mentioned that we will begin to receive trash on the floor on November 29<sup>th</sup>. Once we get past November, then we will move to the other area of the building and begin the repair there. Charles Landi asked if we will be pouring concrete in the winter months and if so, will an accelerator be used. Charlie said yes, to both and that the plan was to pour in the winter months due to the colder months being slower. He also noted that this isn't the first time we have performed the repairs in the winter months and that everything was being done within the Engineers specifications.

Tim notified the Board the West Kingston Recycling had picked up the two tanks in New Paltz and the other two would be picked up within the next couple of days. The Agency did receive payment for these tanks.

**NEW BUSINESS**

The Board had requested that we get a CPA firm in to perform internal audits on a month to month basis. Tim DeGraff came up with six names of local firms in the area and letters will be going out to those six firms. Being that this is for professional services rendered, the Agency is not required to go out for bid. The Audit Committee of the Board will be sending out the letter and will be making the recommendation to the entire Board as to who the Agency should use.

Charles Landi asked as to whether or not anyone thought about utilizing the County Comptroller's office for the internal monthly audit. Al Teetsel stated that he feels that we need to keep at arms length from the County and that we need an outside pair of eyes. Leon stated that this is more internal. Charles Landi mentioned that Elliot Auerbach is responsible for a \$339 million dollar budget and Tim DeGraff inquired does he even have the time to come in here and do a monthly audit of the Agency. Leon said he wasn't even sure if they could legally do the internal monthly audit because we are not a County department.

**MOTION** to enter into **EXECUTIVE SESSION** at 5:50pm to discuss the Status of Negotiations under the Taylor Law was made by Charles Landi and seconded by Al Teetsel. Four in Favor. None opposed. One Absent.

**MOTION** to **ADJOURN** the November 18, 2013 Regular Board Meeting at 6:25pm was made by Leon Smith and seconded by Charles Landi.

AYES \_\_\_\_\_ 4 \_\_\_\_\_      NAYS \_\_\_\_\_ 0 \_\_\_\_\_      ABSENT \_\_\_\_\_ 1 \_\_\_\_\_ (Nilsen)

The above transcribed Minutes of the November 18, 2013 Regular Board Meeting were moved by \_\_\_\_\_ Al Teetsel \_\_\_\_\_ and seconded by \_\_\_\_\_ Charles Landi . \_\_\_\_\_ 4 \_\_\_\_\_ in favor, \_\_\_\_\_ 0 \_\_\_\_\_ opposed, \_\_\_\_\_ 1 \_\_\_\_\_ Abstain (Nilsen). The Minutes were \_\_\_\_\_ **Approved** \_\_\_\_\_ by the Board.

Date: December 16, 2013