

**ULSTER COUNTY RESOURCE RECOVERY AGENCY  
MINUTES OF THE REGULAR BOARD MEETING  
NOVEMBER 28, 2018**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on November 28, 2018 at 999 Flatbush Road, Kingston, NY.

The proceedings were convened at 12:05pm.

The following Board members were present: Chairman Fred Wadnola, Vice Chairman David Gordon, Treasurer Charles Landi, Member Jack Hayes (absent), and Member Brian Devine.

Also present were: Executive Director Timothy Rose, Counsel/Secretary Kenneth Gilligan, Controller Tim DeGraff, Operations Manager Charlie Whittaker, Compliance Officer Tom Briggs, Acting Recycling Coordinator Melinda France, and Clerical Secretary Brenna Whitaker.

From the public: William Kemble from the Daily Freeman, John Nowak from Vantage Equipment, Kathy O'Connor from the League of Women Voters Mid-Hudson Region, and Shabazz Jackson from Greenway Environmental Services.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

Shabazz Jackson of Greenway Environmental Services in New Paltz introduced himself to the Board. He stated that he is expanding his business and wants to keep up with what is going on throughout the County regarding composting. He explained that his business includes compost sold in bulk.

**CHAIRMAN'S COMMENTS**

Fred Wadnola stated that he hopes everyone has a nice Thanksgiving holiday.

**APPROVAL OF MINUTES**

Fred Wadnola motioned to approve the Minutes of the October 24, 2018 Regular Board Meeting, moved by Charles Landi and seconded by Brian Devine. 4 in favor, 0 opposed, 1 absent (Hayes).

**COMMUNICATIONS AND ANNOUNCEMENTS**

The next Regular Board Meeting will be held on December 26, 2018 at 12:00pm the Agency's Main Office at 999 Flatbush Road in Kingston.

**RECYCLING PROGRAM UPDATE**

The Recycling Program Update was moved to the beginning of the meeting so that Melinda France could leave to help answer the phones. Melinda gave the following updates:

- **HHW and Pharmaceutical Waste Collection Event:**

- We have had 85 residents respond to our HHW Feedback Survey. Graphs of responses are attached.
- Some residents requested that the Agency hold paper shredding events. The Board discussed the possibility, and agreed that it would be a good idea. Brian Devine asked if we could put the shredded paper in our compost. Charlie Whittaker responded that we wouldn't be able to do that due to contaminants such as staples, plastic coated paper, etc.
- **Outreach/Tours:**
  - On November 19, 2018, Melinda France, Charlie Whittaker, and Tim Rose attended a presentation titled "Ulster County: Waste Management, Addressing Today's Challenges" which was held at SUNY Ulster. Melinda had a table of information set up at the event, which included all of our informational flyers. Brian Devine commented that he also attended the event, which he said was informative and well attended.
  - Melinda France and Charlie Whittaker conducted a tour on November 13, 2018 for 20 people interested in recycling and composting.
  - The Upcycling Project Day which was scheduled for November 15, 2018 at 6:00pm was canceled due to snow. The event has been rescheduled for December 8, 2018 at 10:30am.
- **NYSAR3 29<sup>th</sup> Annual NYS Recycling Conference & Trade Show**
  - Melinda France, Tim Rose, and Charlie Whittaker attended the NYSAR3 29<sup>th</sup> Annual NYS Recycling Conference & Trade Show on November 6-7, 2018 at the Otesaga Resort Hotel Cooperstown, New York.
  - The theme for this year's event was The National Sword and Quality Impacts on Recycling.
  - The pre-conference on November 6 focused on recycling organics to reduce erosion and build soils.
  - Topics of discussion at the conference included: single-use plastics, extended producer responsibility for packaging, NYSDEC grants and updates, and the future of recycling.
- **Electronics:**
  - During the month of October, the Agency had approximately 340 people utilize the e-waste program. Of that number, 309 were residents, 9 were non-profit organizations, 17 were businesses, and 5 were government entities. A total of 333 TVs and 214 computers were recycled.

## **GENERAL REPORTS**

Tim Rose presented the MSW, Recycling Tonnage, Recycling Market, and Leachate Collection reports.

### **MSW**

Tim Rose stated that the MSW target tonnage for October was 11,108, compared to the actual amount brought in which was 12,579 tons, a difference of 1,471 tons to the good. The sludge target was 352 tons and the actual tonnage brought in was 290, a difference of 62 tons. YTD for MSW is 9,663 tons to the good, and short of our sludge target by 206 tons.

David Gordon voiced his concern for the continued increase in the amount of waste tonnage that comes to the Agency.

Tim Rose and Tim DeGraff explained that the increase is not necessary due to the same amount of people generating more waste, but more likely related to the following possible factors: the increase in population, the fact that a large portion of the waste we accept is construction & demolition debris (C&D), and the fact that trash can also come to the Agency from other counties due to route changes. They noted that these are only some of the possible variables involved in the continued increase in waste volume.

### **RECYCLING TONNAGE**

The Recycling Tonnage report:

	<b>OCTOBER 2017</b>	<b>OCTOBER 2018</b>
COMMINGLE	51.01 tons	46.66 tons
GLASS	34.84 tons	55.17 tons
MIXED NEWS	101.74 tons	103.98 tons
SINGLE STREAM	668.81 tons	574.05 tons
OCC	119.3 tons	129.32 tons
FOOD WASTE	419.68 tons	408.09 tons

### **RECYCLING MARKET REPORT**

Tim Rose explained the Recycling Market Report for October 2018. The report shows the price we were offered for each commodity. NR means no response.

Fred Wadnola motioned to approve the Recycling Market Report. Moved by Charles Landi seconded by Brian Devine. 4 in favor, 0 opposed, 1 absent (Hayes).

### **LEACHATE COLLECTION**

Tim Rose stated that in October 2017 the total amount of leachate out of Ulster was 29,000 gallons; in October 2018 it was 245,000 gallons. Out of New Paltz in October 2017 the total amount was 56,000 gallons and this October's total was 164,500 gallons.

### **FINANCIAL MATTERS**

Treasurer's Report and MRF Cost Center Analysis.

### **TREASURER'S REPORT**

Tim DeGraff presented the October 2018 Treasurer's Report.

For the month of October, we did 12,579 tons. No revenue line items of note. Total revenue of \$1,522,894. Expense line item of note: Composting operation is higher than it has been this year due to a concrete pad replacement in one of the sections, a cost of \$16,289. Household Hazardous Waste

(HHW) Event billing from October's event was \$ 33,636. Total expenses were \$1,164,391. Net operating revenue for the month was \$358,503. Capital outlay of \$113,395, of which \$100,000 relates to the land purchase, with the remaining amount relating to the progressive billing for the fuel depot. Fund balance for the month was a positive \$245,108. Year-to-Date fund balance is a positive \$662,106.

Fred Wadnola motioned to approve the October 2018 Treasurer's Report. Moved by Charles Landi, seconded by Brian Devine. 4 in favor, 0 opposed, 1 absent (Hayes).

### **MRF COST CENTER ANALYSIS**

Tim DeGraff presented the October 2018 MRF Cost Center Analysis report. For the month of October, we did \$43,741 in tipping fees. The total sale of recyclables was up at \$23,110 due to the sale of plastic at \$6,636 and tin cans at \$3,883. SSR disposal fees were \$41,369. Total expenses were \$37,988. Net loss for the month of \$14,843. Year-to-date net loss of \$323,293.

David Gordon questioned how much money we are losing per month on SSR. Tim DeGraff answered that we should be coming out even, since we're charging customers to bring SSR to us. He added that the only number not figured into that amount is trucking.

### **ADMINISTRATIVE MATTERS**

#### **Resolution No. 2458 RE: Authorizing and Approving the Sale of (1) 40 Cubic Yard Open Top Roll-Off Box**

Tim Rose stated that an old box is being sold to the town of Saugerties for \$1,279, a number reached by averaging the cost of the last lot of 10 boxes that the Agency sold.

Fred Wadnola motioned to approve Resolution No. 2458 RE: Authorizing and Approving the Sale of (1) 40 Cubic Yard Open Top Roll-Off Box. Seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Hayes).

#### **Resolution No. 2459 RE: Authorizing and Approving the Purchase of a 2019 Volvo EC220E Excavator**

Tim Rose introduced John Nowak of Volvo, who is Charlie Whittaker's main contact for the Agency's Volvo equipment. He said that this purchase is listed in the Agency's capital plan. The excavator will be ordered now, however payment will not be due until delivery in the spring.

Charlie Whittaker said that he has been very happy with the service Volvo has provided the Agency.

Tim Rose explained the Agency's equipment staggered replacement schedule, which is every five years. He stated that this process aims to prevent multiple pieces of equipment from needing replacement at once.

Fred Wadnola motioned to approve Resolution No. 2459 RE: Authorizing and Approving the Purchase of a 2019 Volvo EC220E Excavator. Moved by Charles Landi and seconded by Brian Devine. 4 in favor, 0 opposed, 1 absent (Hayes).

**Resolution No. 2460 RE: Approving Agreement with Marshall & Sterling Health, Dental, and Vision Plans for Employee Health Care Insurance**

Tim Rose explained that this resolution is to approve the Agency's 2019 health insurance. He said that the plan is the same as the previous year, which is unusual. He added that the premiums are up 9% for 2019.

Tim DeGraff noted that he budgeted for a 10% increase.

Fred Wadnola motioned to approve Resolution No. 2460 RE: Approving Agreement with Marshall & Sterling Health, Dental, and Vision Plans for Employee Health Care Insurance. Moved and seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Hayes).

**Resolution No. 2461 RE: Approving the Ulster County Resource Recovery Agency's Sexual Harassment Policy**

Tim Rose introduced Amy Lopiano to talk about the new NY state law requiring sexual harassment training annually.

Amy Lopiano stated that in April of 2018, Governor Cuomo passes the strongest sexual harassment law in the country. She said that this policy requires all employers, regardless of size, to have sexual harassment training for all employees, including board members.

Amy Lopiano said that the next training will be by our insurance company, Rose & Kiernan, and will likely be this coming February. She added that by law, the training must be completed by October 9, 2019.

Brian Devine asked whether or not employees and Board members will be able to do this training remotely, or at another time other than when the Agency has scheduled it for. He also questioned if it would be possible to do this training through another organization and have it count through the Agency.

Amy Lopiano answered that she will be looking into those possibilities.

Fred Wadnola motioned to approve Resolution No. 2461 RE: Approving the Ulster County Resource Recovery Agency's Sexual Harassment Policy. Moved by Charles Landi and seconded by Brian Devine. 4 in favor, 0 opposed, 1 absent (Hayes).

**Resolution No. 2462 RE: Authorization for Revision of Recycling Educator Job Description**

Tim Rose said that he will be making his decision for the person who will fill the Recycling Coordinator position by the end of this week, and hopefully that person will start at the beginning of the year.

Tim explained that he would like to open up a Recycling Educator position, which is a title that has previously existed at the Agency but has not been utilized in many years. He stated that the funding for

this position is reimbursable through a state grant, and will focus on educating the public while the Recycling Coordinator will focus more on the business end of the spectrum.

Tim Rose continued, saying that he would like to promote Melinda France to this position, as Melinda has already been doing most of this work for many years in addition to her administrative duties.

Fred Wadnola stated that he thinks Melinda France is the right person for this position, as he has seen what a great job she has been doing with the program thus far. He added that the Agency is very lucky to have her, and Tim Rose agreed.

David Gordon asked if this would be a change of job description, or a transfer of personnel.

Tim Rose answered that he is able to do the transfer of personnel himself as the Executive Director, but the board needs to approve the job description. He added that the only thing that has changed is the salary, which was previously set at \$46,000-\$51,000. The new salary will be set at \$48,000-\$53,000. The Recycling Coordinator position is set at \$51,000-\$56,000 due to the position requiring more technical work.

David Gordon asked why the Agency has a job description for the Recycling Educator position.

Tim Rose replied that the Agency had a Recycling Educator many years ago, Emilie Hauser who worked alongside Manna Jo Greene who was the Recycling Coordinator at the time.

Brian Devine said that he likes the fact that the funding for this position is reimbursable through the DEC.

David Gordon asked if the Agency will have open interviews for this position.

Tim Rose answered that the position must be posted internally, and in the case that no one can fill the position, it will be open to the public. He stated that Melinda France is currently the only person within the Agency's staff that fulfills the requirements for the position.

Fred Wadnola motioned to approve Resolution No. 2462 RE: Authorization for Revision of Recycling Educator Job Description. Moved and seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Hayes).

### **OLD BUSINESS**

Fred Wadnola stated that the Agency recently received a letter from Mayor Noble, requesting that the UCCRA continue accepting single stream recycling (SSR) while the City of Kingston transitions back to dual stream recycling (DSR). He asked the Board for their thoughts on the request.

David Gordon said he is receptive to the idea, but is wondering what it is that the City needs from us that they are unable to achieve themselves. He had hoped that Mayor Noble would be present to help answer those questions.

David continued that he has concerns about the fact that the letter is very vague, with no indication of a time frame of when the City would stop bringing SSR to the Agency.

Kenneth Gilligan stated that Mayor Noble should have been at this meeting to discuss the issue.

Brian Devine stated that when the Board voted to stop accepting SSR, it gave the City six months to come up with a new plan. This letter makes it seem as though the City did not properly prepare and is now scrambling to figure out what to do. He voiced his concern that Mayor Noble was not in attendance to explain what he had done in the past six months to transition the City back to DSR by the original date of January 1, 2019.

Brian Devine continued that he is concerned about the ambiguous terms of this request because it would interfere with Agency's plans to use the area that is currently being used to unload SSR for a new compost bagging operation.

David Gordon commended Mayor Noble's decision to switch back to DSR, after he had originally planned to continue accepting SSR while transferring it themselves.

Brian Devine reiterated his concern about the open-endedness of the request, and asked Tim Rose when the Agency is supposed to have the bagging operation up and running. He said that if the bagging operation isn't going to be in use for quite a while, he would be open to the idea of letting the City bring their SSR until that point.

Tim Rose answered that we will most likely have the bagging machine by spring, depending on which machine we choose and when we go out to bid.

Kenneth Gilligan mentioned that allowing one entity to continue bringing SSR to the Agency and not others could create a legal issue.

Fred Wadnola asked if he was correct in thinking that Republic had agreed to provide trailers for the City's SSR, meaning the City would be able to ship the loads themselves.

Tim Rose replied that he was correct.

David Gordon stated that the City would need an area to put all of the materials.

Charles Landi said that the City has an 8 acre transfer station that is unutilized.

Kenneth Gilligan reiterated the risk of the Agency opening itself up to other haulers wanting an extension if we allow one for the City.

Charles Landi said that he believes the Board should stick with its original decision, and not grant the City's request for extension.

David Gordon asked Tim Rose if there is anything that the Agency can provide for the City as far as SSR that they cannot accomplish themselves by the New Year.

Tim Rose answered that he believes there is nothing the Agency can do for the City that they cannot do on their own while they transition to DRS. He added that he doesn't know their transfer station well, and would need more information to be sure.

Charles Landi recommended that the Board draft a letter to the City stating that they plan stick with their original vote.

Fred Wadnola said that the Board is in agreement, that the City's request is denied. He asked if a vote was needed.

Kenneth Gilligan replied that a vote isn't necessary for the Board to answer to the City's request.

Tim Rose stated that American Petroleum is completing the work on the fuel depot and it should be finished soon.

Tim Rose said that next month the Board would be voting on a resolution to engage an engineering firm to work on our DEC permits, which are up in August 2019 for both facilities. Applications must be in six months prior.

Fred Wadnola voiced his concern about renewing our permits while GUS is still in the works.

Tim Rose said that permits can be modified.

David Gordon said that GUS will be a new entity, so there will be no need for modification.

Tim Rose stated that these permits are what allow us to operate, therefore he wants to make sure everything is done correctly and on time.

Charles Landi asked Fred Wadnola if the legislatures of Ulster, Greene, and Sullivan counties were receptive to GUS.

Fred Wadnola said that he thinks that they are.

David Gordon stated that within the Ulster County Legislature, there is a difference of opinion about the matter. Some individual are more concerned about alternatives to bringing trash to Seneca Meadows. He suggested that the Board discuss this further and come up with a viable solution.

Charles Landi suggested that the Agency choose a location for a landfill in Ulster County through eminent domain.

Fred Wadnola said that about six months ago he would have agreed with Charles Landi. At this point, he believes incineration is the path to follow.

Brian Devine said that believes the legislators didn't understand that three counties combined as GUS has much more power to make a change to a better alternative than just one county alone.

Fred Wadnola agreed, saying that the answer to moving toward a viable alternative is volume.



David Gordon recommended that the Board draft a report on their findings about the feasibility of alternative waste disposal options and give it to the legislators in January.

### **NEW BUSINESS**

David Gordon asked if the Agency attended the Assembly Hearing that we were invited to, and if so what came out of it. He also asked for details regarding the recent NYSAR conference that the Agency attended.

Tim Rose said that had been invited to testify in front of the New York State Assembly regarding issues facing recycling, however the hearing was canceled due to snow and was rescheduled for mid-January.

Tim Rose added that Governor Cuomo has charged the DEC with the task of coming up with a solution to the recycling crisis. The DEC has held three invitation-only stakeholder meetings consisting of private and public sector professionals to accomplish this. Tim said he attended all three of these meetings.

### **EXECUTIVE SESSION**

At 1:39pm, Kenneth Gilligan stated that the Board will be going into Executive Session for the purpose of contract negotiations on real property.

No vote was made to enter Executive Session.

At 3:40pm, Fred Wadnola motioned to adjourn the November 28, 2019 Executive Session. Moved and seconded by Kenneth Gilligan. 4 in favor, 0 opposed, 1 absent (Hayes).

### **Resolution No. 2463 RE: Approval to Purchase Land**

Fred Wadnola motioned to approve Resolution No. 2463 RE: Approval to Purchase Land. Moved by and seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Hayes).

### **Resolution No. 2457 RE: Approval to Agency Attorney for an Additional Two Years**

Charles Landi recommended the Board move forward with Kenneth Gilligan's contract the way it is written.

David Gordon stated that he believes there should be a clause in the agreement allowing either party to terminate at any point.

Kenneth Gilligan said that he doesn't agree, and doesn't understand why a change is necessary.

Charles Landi and Brian Devine both stated that they are happy with Kenneth's performance and do not believe it needs to be changed.

David Gordon replied that he doesn't agree, and is not happy with the terms of the agreement based on his professional experience.

Fred Wadnola motioned to approve Resolution No. 2457 RE: Approval to Agency Attorney for an Additional Two Years. Moved and seconded by Charles Landi. 3 in favor, 1 opposed (Gordon), 1 absent (Hayes).

**CLOSING**

No vote was made to adjourn the November 28, 2018 Regular Board Meeting.

December 26, 2018.

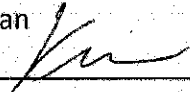
Motion to approve the above transcribed Minutes of the November 28, 2018 Regular Board Meeting was made by David Gordon, moved by Charles Landi and seconded by Jack Hayes. 3 in favor, 0 opposed, 2 absent (DEVINE/WADNOLA). The Minutes were APPROVED by the Board.

Transcribed by: Brenna Whitaker, Clerical Secretary. Minutes are recorded.


Signatures:

  
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Fred Wadnola, Chairman

  
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Ken Gilligan, Secretary

  
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Brenna Whitaker, Clerical Secretary