

ULSTER COUNTY RESOURCE RECOVERY AGENCY

MINUTES OF THE REGULAR BOARD MEETING

August 26, 2015

The Ulster County Resource Recovery Agency held a Regular Board Meeting on August 26, 2015, at 999 Flatbush Road, Town of Ulster, NY.

The proceedings were convened at 5:00 pm.

The following Board members were present: Chairman Leon Smith; Vice Chairman Catherine Nilsen; Treasurer Charles Landi; Member Dominic Tagliafierro and Member David Gordon.

Also present were: Executive Director Timothy Rose; Counsel / Secretary Kenneth Gilligan; Controller Tim DeGraff; Operations Manager Charlie Whittaker (absent); Compliance Officer Tom Briggs (absent); and Administrative Assistant Melinda France.

From the public: Diane McCord, Councilperson of the Town of Esopus; Kathy O'Connor, League of Women Voters and Materials Management Committee; Gloria VanVliet, Councilperson of the Town of Esopus; Supervisor Joseph G. Croce, Town of Plattekill; Supervisor Jim Quigley, Town of Ulster; Supervisor Carl Chipman, Town of Rochester; Jim Craven, Manager of the Hurley Transfer Station; John Parete, Ulster County Legislator; Margart Sellars, League of Women Voters; Vic Melville, League of Women Voters; Dare Thompson, League of Women Voters; Manna Jo Greene, Ulster County Legislator and William Kemble, Reporter of the Daily Freeman.

Charles Landi asked for a moment of silence in honor of Abel Garraghan who was a very influential person in the community.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Leon Smith opened the meeting up for Public Comment.

Supervisor Carl Chipman from Town of Rochester asked for the Agency to move ahead and continue with servicing the Towns. He stated it would be a disaster if the Agency didn't service the Towns on many levels. He stated he sees a future with greater involvement at the Town level especially reducing the amount of organic waste and would like the Agency's support with that as well.

John Parete from the U.C Legislator's office stated they sent a letter looking for the Agency's budget and came by to see if the budget was voted on. He also wanted to thank the Agency for the past year for their deliberation, patience, courteousness, and professionalism. He stated that he agrees with Supervisor Chipman about it being important to continue service to the Towns and the Towns need it. He suggested if the Agency does vote on moving forward with the Towns tonight that the Agency has the budget and the Agency already know what it needs for the year. He stated that there are anniversary dates for a lot of things. He stated the Agency should freeze the 14 or 15 members and proceed. He stated he was opposed to Flow Control but that is neither here or there now. He stated that with increased rates the Agency has paid their debts down, a lot of stability, and reserves are looking much better. He stated he can't help but compliment the Agency. He thinks it is ok, that the 4 or 5 Towns that

didn't sign on, the Agency can always entertain it next year. He applauded the Agency for their patience and the time the Agency gave everyone to make their decisions. He said, "thank you" for the efforts of the Agency.

Manna Jo Greene, UC Legislator, thinks the Agency should go above and beyond to bring as many Towns in to this current agreement as possible because it would benefit all the Towns. She stated she wanted to commend the Supervisors, Towns and the Agency because they were very far apart but became closer together and hope that process continues.

Supervisor Joseph G. Croce, Town of Plattekill, stated his town made a decision before the deadline and he knows there was some problems with other Towns and that Resolution is still out there. He wanted to thank the Board for all their consideration. He asked that the Towns that have stepped up and agreed to enter into a contract with this Board are not penalized because other Towns did not.

Supervisor Jim Quigley, Town of Ulster stated that the Town's decisions of going out on their own is not a reflection on the Agency but merely a reflection of the geographical location of the Town of Ulster Transfer Station to the RRA's facilities and is a reflection on a forward looking management style that Frank Petramale, Town Highway Superintendent brings to the Town. He stated they purchased a chassis not just for pulling containers, but also for collecting leaves, salt box on it for the winter, buying a flatbed to haul equipment around. He stated they are not looking at this as walking away from the RRA, but as purchasing another piece of equipment that compliments the current fleet at the Town of Ulster Highway Department. He stated, they would be more than happy if the RRA gets into a jam to assist them under the shared service arrangement, which for the last three years have worked so successfully.

John Parete stated that Supervisor Quigley's words are very important to the Agency.

CHAIRMAN'S COMMENTS

APPROVAL OF MINUTES

The Minutes of the July 22, 2015, Regular Board Meeting were moved by Charles Landi and seconded by Dominic Tagliaferro. 5 in favor. 0 opposed. 0 absent.

COMMUNICATIONS AND ANNOUNCEMENTS

A Regular Board Meeting has been scheduled for Wednesday, September 23, 2015 at 5:00 pm.

ADMINISTRATIVE MATTERS

Resolution No. 2355 Re: Approving the Solid Waste Management Agreements between the Ulster County Resource Recovery Agency and Towns

Charles Landi stated that after reading over the contract for the past four or five months and going through deadlines to accommodate the Towns that this is the right thing to do and he moves the Resolution. David Gordon seconded it.

David Gordon added that there were some discussion, that some Towns wanted different provisions. Ken Gilligan responded that everything was fine and nothing was changed that he didn't know about.

David Gordon stated that this is a significant effort to move this program forward. He stated that obviously, six months ago, as Manna said, everyone had significant differences. The Supervisors and the staff did a lot of work to recraft the program and work out financing mechanisms. He stated that some towns had more difficulties with their procedures than others. These contracts give the Agency improved product going forward. Some towns want to go their own way, which is fine and hopefully they will find something that works for them. Other towns, require the Agency's services. He stated he is gratified that the staff worked so hard to craft a program to continue to do this.

Leon Smith stated that 14 towns are listed in the Resolution. He commented that the Board put a lot of effort into the contracts. He stated that it might not be completely satisfying to everyone, and he stated, there are things he doesn't agree with, but it is the right thing to do.

Leon Smith moved to the floor **Resolution No. 2355**;

Roll Call to vote was made by Kenneth Gilligan. LEON SMITH-YES; CATHERINE NILSEN-YES; CHARLES LANDI-YES; DOMINIC TAGLIAFIERRO-NO and DAVID GORDON-YES.

Resolution No. 2356 Re: Authorization of Draft 2016 Agency Budget

Tim Rose stated that this will be the third year in row that tipping fees will not have been raised for 92% of the Agency's users and for the second year in row that the Agency will not have had raised the tipping fees for 100% of the users. He stated this shows what the staff and Board has done to make sure the Agency's expenses are in line. Tim Rose stated that if the Agency's projections hold true for the remaining of the year the Agency should end with an operating reserve of 15%. Tim stated that the NYS Comptroller's office indicated that the Agency should maintain 10%-20% operating reserve. He stated the Agency should be at 15% by the end of the year; right in the middle. Tim stated this is good news and he is happy with the budget. He stated to show that it is a truly balance budget he called the attention of the Board to look at the bottom figure on the fund balance for 2016 which shows a negative fund balance of \$19,485 and he stated that out of 12 ½ million dollar budget, that it is pretty close to zero and it is where it should be. He stated that the budget is directly impacted by the economy and if the economy should drop the Agency should have sufficient funds in reserves to cover any expenses.

Charles Landi stated that something should be said about the forces behind the budget and he said that is Tim Rose and Tim DeGraff. He stated, as he looked at the budget and because of the fluctuations of how many towns were or were not signing on, the numbers kept changing. He stated that Tim DeGraff should be commended on how he did it. Charles Landi stated it looks like a solid budget and he would be a yes vote on the budget.

Leon Smith asked Tim Rose to go through the steps of the timeframe of the budget.

Tim Rose responded that as every year, at the August meeting, the Board approves the draft budget, it will then be hand delivered tomorrow morning to the County Executive, Chairman of the Legislator, Chairman of Ways and Means and Chairman of the Energy and Environmental Committee with a memo

explaining the budget and wait for their input. At the September meeting there will be a Public Hearing set for the public and supervisors for comments. A letter will be sent to all supervisors advising them of the Public Hearing with a copy of the draft budget for any comments they have. The Public Hearing is usually set for middle of October. At the October Regular Board Meeting the budget will be finalized.

Leon Smith moved to the floor **Resolution No. 2356**;

Roll Call to vote was made by Kenneth Gilligan. LEON SMITH-YES; CATHERINE NILSEN-YES; CHARLES LANDI-YES; DOMINIC TAGLIAFIERRO-YES and DAVID GORDON-YES

Resolution No. 2357 Re: Approving the Draft Agency Capital Plan

Tim Rose went through the draft Agency Capital Plan that was handed out with Resolution No. 2357. He stated that \$20,000 was allocated to update the office; paint, carpet and furniture. He also pointed out the purchase of a roll-off truck for \$175,000.00 to service the towns and \$45,000 for new recycling containers. Dominic Tagliafierro asked how many containers. Tim Rose responded that it is 32 recycling containers this year and for next year 10 MSW containers.

Charles Landi wanted to know if the Capital Plan reflects the truck that recently caught fire. Tim Rose stated that no and the Agency is still on target for one truck. He also responded the roll-off truck that caught fire was due to electrical issues and was not sure if the Agency's employee will be able to fix it or if it will be sent out; he was waiting for the insurance company. Charles Landi also mentioned about rental trucks on-line and didn't know if it was economically feasible for the Agency.

Tim Rose continued pointing out items on the Capital Plan including roll-off repairs, \$150,000 for a tractor to haul leachate; \$50,000 for a pick-up truck for the plow; excavator payments; waste handler loader; utility vehicle and fuel island replacement and associated software. Tim Rose stated he was not sure if he will get to the fuel island replacement this year. He stated that it needs to be replaced due to the parts and software being antiquated. He stated it will also give the Agency a better handle on fuel usages. Charles Landi wanted to know if Tim Rose felt that it was being abused now. Tim Rose stated no and that there was only one issue in the past that had nothing to do with the Agency but a company's driver.

Leon Smith moved to the floor **Resolution No. 2357**; Motion to vote was made by Dominic Tagliafierro and seconded by Charles Landi. 5 in favor. 0 opposed. 0 absent.

Resolution No. 2358 Re: Authorizing and Approving a Draft for 2016 Tipping Fees and Other Charges

Tim Rose stated the only thing that changed was the holiday dates and format. No fees changed. Tim stated this is what is handed out to residents.

Dominic Tagliafierro asked when the Bonds will expire. Tim Rose and Tim DeGraff responded that there is one expiring in 2016 and two will expire in 2017. Dominic Tagliafierro asked if the Agency would see a tipping fee decrease. Tim Rose stated the Agency might but it all depends on the economy.

Leon Smith moved to the floor **Resolution No. 2358**; Motion to vote was made by Charles Landi and seconded by Dominic Tagliaferro. 5 in favor. 0 opposed. 0 absent.

Resolution No. 2359 Re: Establishing a Draft Fee Schedule for Grinder Services

Tim Rose stated that the current fees are \$1,250 a day and the operator is \$350 a day. He wants to increase it by \$250 a day for the grinder and \$50 a day for the operator. Tim stated he believes this is very reasonable compared to the private sector.

Dominic Tagliaferro asked who the Agency is doing the services for. Tim Rose responded very little; maybe 2 to 3 towns a year. He stated that they have a shared service agreement with Town of Ulster; Ulster mows the landfill and the Agency grinds for them.

Leon Smith asked if the Agency services the public. Tim Rose responded that the Agency only grinds for the towns but did grind wood for the DEC one time.

Leon Smith moved to the floor **Resolution No. 2359**; Motion to vote was made by Charles Landi and seconded by Dominic Tagliaferro. 5 in favor. 0 opposed. 0 absent.

GENERAL REPORTS

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

MSW

Tim Rose stated that MSW target tons for July was 12,335 tons and the Agency brought in 11,979 ton so we are at a difference of 356 tons. Year-to-date variance of MSW was 667 tons.

Tim Rose stated that Tim DeGraff did a great job on forecasting.

RECYCLING TONNAGE

The Recycling tonnage report was compared to the prior year. Last July for commingle we did 61 tons and this year we did 59; glass was 67 tons and this year it is 37; mixed news was 151 tons and this year 143; Single stream last year was 586 tons and now it is 796; OCC was 255 tons last year and it is down to 118 this year.

Tim Rose stated that Single Stream is at \$5 a ton for August. Tim also stated that food scraps have increased. He also talked about reaching the permit limit of 500 tons.

COMMODITY REPORT

Tim Rose noted the commodity report is in the Board packet. This shows who we sold what to and the prices. Tim stated that NR means no response.

Leon Smith moved to approve the Commodity Report. Charles Landi seconded. 5 in favor. 0 opposed. 5 absent.

LEACHATE COLLECTION

Tim Rose noted that last year in July we did 365,000 gallons and this year we did 195,000 out of Ulster and last year in July we did 189,000 gallons and this year we did 140,000 out of New Paltz.

Tim Rose stated that these numbers go by the amount of rain fall.

FINANCIAL MATTERS

Tim DeGraff presented the July, 2015 Treasurer's Report. MSW was 11,979 tons for the month of July. He stated this was the highest month to date. Two items he wanted to point out in revenue related to budget increases starting July 1st. Leachate hauling/box rental was up to \$7,375 and relates to box rental charges; pull charges increased about \$6,000, of which \$5,000 relates to the increase in price per pull. For the month of July total revenue was \$1,390,371. Personnel expenses were higher because of three payrolls. Expenses for HHW in New Paltz was \$18,895. Net operating revenues of \$345,692. Capital outlay was for the remaining payment of the security camera installation of \$17,250; Debt Service Payments of \$76,673; and fund balance for the month is \$251,769. Year-to-date fund balance deficit is \$306,518 which is over \$800,000 better than this time last year.

Leon Smith made a motion to approve the July, 2015 Treasurer's Report, Charles Landi moved and seconded by Dominic Tagliaferro. 5 in favor. 0 opposed. 0 absent.

MRF COST CENTER ANALYSIS

Tim DeGraff stated in July some loads of plastic and tin cans were sold. Total sale of recyclables was \$26,837. Recycling Center personnel had three payrolls in July which probably offset the additional sale of the recyclables. The net loss for July before depreciation was \$6,758 and after depreciation was \$17,793; year-to-date net loss before depreciation was \$99,486 and after depreciation \$176,731.

OLD BUSINESS

Charles Landi asked if there was any news about the Solar Panel project. Leon Smith stated the County put in for the grant. Tim Rose stated that since he was on vacation last week and couldn't sign a letter of support regarding the project that Leon Smith signed it instead.

NEW BUSINESS

Charles Landi talked about the Conflict of Interest policy. Tim Rose stated that was sent to him from the Authority Budget Office. Charles Landi said he went into the Authority Budget Office and they had a boil plate Conflict of Interest policy that the Agency might be able to use.

There was a brief discussion about the Conflict of Interest policy.

Dominic Tagliaferro wanted to know if it is just for the Board or staff too. Tim Rose responded with everyone. Ken Gilligan stated he can prepare one.

Charles Landi asked if the response to the questions that Howard Baker, Town Board Member from the Town of Marlborough sent in an email have been satisfied with the answers provided. Tim Rose stated he hasn't heard anything.

Charles Landi asked if the Agency and Board needs to do anything regarding Lenny Distel's comment about fighting Flow Control law. Ken Gilligan stated that the Agency is going to sign the Contract.

PUBLIC COMMENT

Manna Jo Greene stated that the towns have different information about what can be recycled. She also asked where the Agency was on regarding hiring a new Recycling Coordinator. She was hoping the new person could get all the towns on board as to what can be recycled and not.

Tim Rose responded that the new Recycling Coordinator's first duties would be to go to every Transfer Station and introduce themselves and provide any information that the town will need.

Manna Jo Greene asked if the position has been posted yet.

Tim Rose responded that someone will be starting Monday, August 31, 2015.

MOTION to ADJOURN the August 26, 2015, Regular Board Meeting at 6:02 pm was made by Charles Landi and seconded by Dominic Tagliafierro. 5 in favor. None opposed. 0 absent.

The above transcribed Minutes of the August 26, 2015, Regular Board Meeting were moved by Charles Landi and seconded by Catherine Nilsen. 3 in favor. None opposed. 2 absent (Tagliafierro and Gordon). The Minutes were APPROVED by the Board.

Date: September 23, 2015