

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
NOVEMBER 30, 2020**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on November 30, 2020. This meeting was held virtually via Webex.

The proceedings were convened at 12:10pm.

The following Board members were present: Chair Fred Wadnola, Vice Chair Katherine Beinkafner, Treasurer Charles Landi, Member JoAnne Myers, and Member Lisa Mitten.

Also present were: Counsel/Secretary Kenneth Gilligan, Acting Executive Director/Controller Tim DeGraff, Director of Operations and Safety Charlie Whittaker, Recycling Coordinator Angelina Peone, Recycling Educator Melinda France, and Administrative Assistant Brenna Whitaker.

From the public: Reporter Bill Kemble from the Daily Freeman, Reporter Hank Gross from Mid-Hudson News, Ulster County Legislator Laura Petit, and Andrew Millspaugh of Sterling Environmental.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

None.

CHAIR'S COMMENTS

Fred Wadnola thanked everyone for participating today. Due to the pandemic, he anticipates that December's board meeting will be virtually as well.

APPROVAL OF MINUTES

Tim DeGraff commented that he and Brenna Whitaker had added units to the prices in Charlie Whittaker's recycling market update (i.e. per ton, per pound, etc).

Fred Wadnola motioned to approve the Minutes of the October 26, 2020 Regular Board Meeting. Moved by JoAnne Myers, seconded by Lisa Mitten. 5 in favor, 0 opposed, 0 absent.

COMMUNICATIONS AND ANNOUNCEMENTS

Fred Wadnola stated that the next Regular Board Meeting will be held on Monday, December 28, 2020 at 12:00pm, most likely via Webex again.

Lisa Mitten said that she may not be able to make it that day.

Fred Wadnola said they can adjust the date at a later time.

RECYCLING PROGRAM UPDATE

Angelina Peone presented the Board with a summary for the month of November. For the month of November, the Recycling Outreach Team focused on America Recycles Day, a Keep America Beautiful initiative held on November 15. All of the team’s media outreach focused on the benefits of recycling and how to recycle right.

The team hosted a Recycle Right workshop on Monday, November 16 from 4-5pm. Sixty-five local residents signed up for the workshop. The team discussed how the recycling system works in Ulster County, what can be recycled locally, and what items are often wish-cycled and cause contamination in the recycling industry. They also cleared up some of the confusion about what makes an item recyclable or not. All of the team’s webinars are available for free viewing on the Agency’s YouTube channel @UCRRA.

The team has also promoted tips for rethinking the holidays, because it is estimated that Americans create an estimated 25% more trash during the upcoming holiday season.

She reminded the Board to always know your program, especially for plastic containers which can vary by recycler. Always break down cardboard boxes and remove any inner packaging. Rinse containers clean and dry with no food, liquids or grease. Leave bottle caps on containers.

GENERAL REPORTS

Tim DeGraff presented the MSW and Recycling Tonnage reports:

MSW

	October 2020		
	Target Tonnage	Actual Tonnage	Difference
MSW	11,813 tons	13,104 tons	1,291 tons
Sludge	321 tons	291 tons	-30 tons

Tim DeGraff noted that 536 tons of millings is included within the 13,104 tons in October.

Recycling Tonnage

	October 2020	October 2019
Commingle	122.39 tons	126.21 tons
Glass	56.96 tons	53.43 tons
Mixed News	90.83 tons	95.44 tons
Kingston City Hard Mix	80.62 tons	73.13 tons
OCC	235.16 tons	180.30 tons
Food Waste	350.22 tons	416.46 tons

Tim DeGraff noted that in October the Agency only did 3.59 tons of electronics. The number on the report comes from the actual outgoing e-waste. Because the area of the Agency's property where the e-waste program runs has safety concerns in the winter due to ice, and because the Agency is unable to move the product right now despite a great effort by Charlie Whittaker, the free E-Waste collection program is being suspended until April 1, 2021. Customers have been notified and all of the Agency's information has been updated.

Fred Wadnola agreed with the move to suspend the program, stating that he's concerned for the safety of the employees.

Charlie Whittaker said that this break will help employees clean up the four tractor trailer loads of e-waste currently on-site. He said he also spoke with ERI (E-Waste vendor) this past Friday told them that that they could use the break as well to clean up things on their end. They briefly considered moving the location of the program, but were concerned that moving it would cause major confusion and it wouldn't be safe.

Charles Landi asked how the program suspension would affect the MRDC's.

Charlie Whittaker said E-waste is not part of the recycling program with the MRDC's and will have no impact. A few towns do bring E-waste to the Agency, and the Agency will always accommodate them.

Katherine Beinkafner said that she believes the electronics manufacturers should be required to pay the cost of disposing of their products. She said the Agency needs to contact the Governor, the legislature, and the DEC about this.

Charlie Whittaker said that the Agency has been holding E-waste due to the potential high cost to dispose of it. He said the cost from one company was around \$1,200 for a 35 yard container. Storage has been a problem, but the Agency has not had to pay ERI for it so far, like other places have.

Fred Wadnola said at some point the Agency may have to charge to accept e-waste.

Recycling Market Update

Charlie Whittaker explained that the markets are really tight as far as fiber, nothing has really changed since last month. Hard mix is still \$5 per ton and soft mix is still \$20 per ton, with \$50-\$60 per ton for OCC. None of the markets want #3-#7 plastic, but he did touch base with a company that is going to pay the Agency \$0.07 per pound for it which they are purchasing because they want the #5's. Angie is familiar with this company. Selling the bales that the Agency has on the floor will free up needed space. The Agency has been selling a lot of tin to Sims up in Albany. The metal recyclers have been very competitive with their prices. Sims is also taking UBC's which historically the Agency has had a hard time getting rid of. Metal has bounced back. HDPE Color went up significantly but has started to trend back down due to Covid.

Charles Landi asked Angeline Peone to put the recycling market trend graphs up on the screen.

Tim DeGraff explained that these graphs do not go with Charlie Whittaker's report which is for the current month, but instead correspond with the MRF report which is from the month prior.

FINANCIAL MATTERS

Tim DeGraff presented the October 2020 Treasurer's Report and MRF Cost Center Analysis.

Treasurer's Report

For the month of October the Agency's MSW tons were 8,813 and C&D tons were 4,295. Revenue line item of note: Miscellaneous revenue was \$13,451 which relates to the scrapping of the old scale decks for \$10,440. Total revenue for the month was \$1,483,414. Expense line items of note: Personnel expenses were \$323,493 due to three payrolls in October. Transfer station expenses of \$24,399 for water wall barriers for traffic lines at UTS in the amount of \$10,227. Compost operation expenses were (\$13,198), which is the net effect of an accounting reclassification of compost expansion costs from June and July to capital outlay. Total expenses for the month of \$1,266,164. Net operating revenue was \$217,250. Capital Outlay of \$295,256 (\$46,072 for compost expansion, \$5,109 for Bobcat trencher attachment, \$229,194.95 for the scale project, and \$14,880 for the bagging/recycling education building). For the month of October, the fund balance was a negative \$78,006. Year to Date fund balance is a deficit of \$1,754,015 (exclusive of operating reserve transfer in, a deficit of \$2,077,490).

Fred Wadnola motioned to approve the October 2020 Treasurer's Report. Seconded by Charles Landi.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

MRF Cost Center Analysis

For the month of October, tipping fees were \$0. The total sale of recyclables was \$17,462. Total transport/disposal costs for October were \$1,569. Net revenue of \$15,893. Total personnel expenses were \$46,918. Total operating expenses were \$4,997. Total personnel/operating costs were \$51,915. Net loss for the month of \$36,022. Year-to-date net loss of \$269,620.

OLD BUSINESS

JoAnne Myers asked Tim DeGraff to speak about Tracey Bartels and what the Agency is diverting.

Tim DeGraff responded that it is nothing that the Board hasn't already heard at the meetings. The Legislature is still requesting that the Agency work collaboratively on the Zero Waste Implementation Plan. He said he has stressed to them multiple times that the Agency does support the concept of zero waste, but not necessarily their approach to it. He has been talking in detail with Tracey Bartels and Laura Petit about what the Agency is already diverting, including the new sludge transportation and disposal bids which will divert sludge by composting. The Agency will be looking for more diversion

options as they work through the Local Solid Waste Management Plan. He does not agree with rushing through the process of a zero waste plan. The Agency made sure that the Local Solid Waste Management Plan mentioned zero waste, which was suggested by JoAnne Myers. The Agency's educational program is also focusing on zero waste.

NEW BUSINESS

Potential Solar Project

Tim DeGraff told the Board that when he, Charlie Whittaker, and Angelina Peone started discussions about the bagging/recycling education building they had discussed incorporating solar panels which led to discussions with a consulting company. He said he just wants to give the board a heads up that they do plan to do some sort of solar project, whether it ends up being small or something bigger.

DEC Conference Call

Tim DeGraff said that Charles Landi requested this item be put on the agenda. He said that he attended a DEC conference call with Angelina Peone, Charlie Whittaker, Charles Landi, and Fred Wadnola. This was an information gathering session to help guide staff through doing the permitting and SEQRA as they are doing it for the first time. Angelina Peone set up the call with her contact at the DEC. He said that the ball is in the Agency's court as far as what they want to do as far as permitting goes, be it a landfill, new technology, etc. He added that the DEC told staff that as far as technology, they would prefer one that is proven which is understandable. Charles Landi had questions about his map of potential landfill sites. He said that the DEC confirmed that the ball is in the Agency's court as far as figuring out a site for a landfill.

Charles Landi stated that the DEC assured staff that a landfill could be started in 10 acre cells. He said that he pointed out to them that Region 4 does it for Oneida-Herkimer. He asked the DEC if they knew of any new diversion methods/technologies that the Agency could consider using alongside a landfill. He asked the DEC what the Agency's next step should be, and made reference to the seventeen 200 acre parcels that are still on the tax map that he is using. The DEC also told him that the Agency would need to hire a consultant to find a suitable site for a landfill. He said that after discussing it with Fred Wadnola, they determined that the Board needs to go to David Donaldson, the Chair of the Legislature so that they can prepare for funding.

Bonding

Fred Wadnola said he is going to set up a meeting with Chair Donaldson to request that the legislature fund a bond issue for \$1,000,000 so that the Agency can hire an engineer. He has a good working relationship with him due to working together on the Legislature in the past. He plans to propose that the Legislature give the Agency \$10,000,000 of its bonding authority back. The Agency has \$40,000,000 in bonding authority that was taken away. He said that it's impossible to get anything through the Legislature because of the two year terms and things becoming political.

Kenneth Gilligan responded that Fred Wadnola's request will open the door to see if the Legislature really wants to proceed with a landfill.

Charles Landi agreed, saying that the request will press the issue. He said that the DEC wanted to know how the Agency arrived at 200 acre parcels. He said that at 133,000 tons of MSW per year (which is what Ulster County generates), a 200 acre landfill at 20 feet deep would last 75 years. He said this figure was well calculated by engineers.

Lisa Mitten asked if this is a Board driven process or a staff driven process.

Charles Landi said it is both. He said the reason for the meeting was that since the DEC regulates us, they should be brought on board as to what the staff/Board's thinking was and find out what they can do to help in the process.

Lisa Mitten said that \$10,000,000 is not much money, and she is unsure whether it makes sense to ask the Legislature for a specific number at such an early stage.

Fred Wadnola said when they sited the landfill at Oneida-Herkimer it cost \$10,000,000, so he used that figure. He acknowledged that he doesn't actually know how much it will cost in today's dollars.

Lisa Mitten asked if \$10,000,000 was just construction costs, or if it included consulting, design, and permitting.

Fred Wadnola responded that \$10,000,000 was the purchase of the property and design of the landfill. It was a ten year process for them.

Lisa Mitten asked what year construction was completed.

Charles Landi responded that it was the late 90's.

Fred Wadnola stated that it started around 1990.

Lisa Mitten responded that the costs will likely be significantly more than they were in the 1990's.

Charles Landi said that Lisa Mitten needs to remember that the Agency is spending \$8.5 million per year to do what the Agency is doing. Oneida-Herkimer operates at only \$58 per ton with their own landfill, and the Agency's tipping fee is \$105 per ton. The Agency has one of the highest tipping fees in the region and it could be greatly reduced with a local landfill.

Lisa Mitten said she just doesn't think it's a good idea to ask specifically for \$10,000,000 when it could be more.

Charles Landi agreed with Lisa Mitten.

Fred Wadnola agreed, saying it could be less or it could be a lot more.

Charles Landi stated that in 2017, when the Solid Waste Management Improvement Committee met with the DEC about siting a landfill, Steve Parisio put together a lot of notes on this meeting that the Board and staff has not been able to find.

Fred Wadnola stated that he has tried to get a copy of the report, but it seems to have been lost when there was a change of administration and the library was cleaned out. The Legislature doesn't know if it

was sent to the archives on Foxhall Avenue or not. He had asked them to do a search there and he was told they could not find it. He asked during the call with DEC if they had a copy and was told probably not.

Charles Landi said that the DEC made it very clear on the call that whatever consulting or engineering firm the Agency ends up using, they must be aware that every step of the process will need to be worked out with the DEC before moving forward. The consultants must understand that the regulatory agency is in charge, even if the Agency engages them.

Fred Wadnola said that if the Agency is going to pursue this, first they will need to speak to the owners of the 17 sites to see if they will consider selling their property. He said it's not a good idea to hire an engineer and then show up at a property telling them that you're looking to site a landfill, because it will generate a lot of animosity. He said it needs to stay very low key, not like the situation with Winston Farm.

Charles Landi said that before they speak to property owners about selling their property, they need to investigate to make sure the properties meet the initial criteria for the landfill.

Fred Wadnola said that you cannot get that information without getting property owners permission first.

Charles Landi said you can easily find a lot of information from the maps.

Kenneth Gilligan stated that the first step has to be David Donaldson committing to give the Agency additional bonding authority. Then the Agency will hire consultants who will determine what properties are viable.

Lisa Mitten asked what the Agency's bonding authority is.

Tim DeGraff answered that the original amount was \$40,000,000 and it was reduced to \$500,000.

Lisa Mitten said that she thinks the Agency should just ask to go back to its original bonding authority.

Charles Landi said it will be a lot easier to sell the idea of \$10,000,000 than \$40,000,000.

Kenneth Gilligan said he doesn't think the Agency needs to ask for that much money, just enough to support hiring a firm.

Fred Wadnola said the Agency's bonds will be paid off in 2025.

ADMINISTRATIVE MATTERS

Resolution No. 2524 RE: Approving the Solid Waste Management Agreements between the Ulster County Resource Recovery Agency and Towns

Tim DeGraff explained that the Board passed the same resolution last month for three different towns. This month the resolution is for the Towns of Lloyd, Shawangunk, and Wawarsing. This brings the Agency up to a total of six towns so far. Denning and Hardenburgh's contracts will be sent out today. They are

going out last because the Agency needed to make sure it has buy-in from the other towns before signing agreements with the two towns located the furthest away. He said he has had no opposition thus far.

Fred Wadnola motioned to approve Resolution No. 2524 RE: Approving the Solid Waste Management Agreements between the Ulster County Resource Recovery Agency and Towns. Moved by JoAnne Myers and seconded by Charles Landi.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

Resolution No. 2525 RE: Approving Amendment to the Personnel Policy Manual

Tim DeGraff said this amendment to the personnel policy is for non-union employees only. It is an option for a sick time buy-back. Staff is currently allowed to bank time and get paid out for it upon separation from the Agency. This policy will allow long-time employees to buy back sick days. This provides an incentive for employees to not use sick time, and allows the Agency to pay it out at a current rate instead of a future higher rate, making it beneficial to both parties.

Fred Wadnola asked if this resolution covers all employees.

Tim DeGraff restated that this resolution only applies to non-union employees.

Fred Wadnola motioned to approve Resolution No. 2525 RE: Approving Amendment to the Personnel Policy Manual. Seconded by Charles Landi.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

Resolution No. 2526 RE: Authorize and Approve Transfer of Funds from Key Bank and Closure of Accounts

Tim DeGraff explained that this is a house cleaning for the Agency's Key Bank accounts. These accounts were established in the 1990's as contingency funds. These are restricted funds that can only be used for post closure care costs, each for specific landfills.

Charles Landi said it is interesting how much money has just been sitting in these accounts unused.

Tim DeGraff said the money is restricted, so the Agency cannot use it for anything other than for post closure costs. He does not know how the original numbers came to be.

Fred Wadnola said the money came from the towns that had money in their accounts for their landfills. When the DEC closed the landfills the money went to these new accounts.

Tim DeGraff replied that these accounts are actually from the two consolidated landfills after the town landfills were closed, but it is the same concept.

Charles Landi said that the Agency pays the towns a host community benefit for housing the landfills. He asked if there is a chance that the money could go toward that cost.

Tim DeGraff repeated that this money is restricted only for post closure costs and has nothing to do with the host community benefit.

Fred Wadnola motioned to approve Resolution No. 2526 RE: Authorize and Approve Transfer of Funds from Key Bank and Closure of Accounts. Moved by Charles Landi and seconded by JoAnne Myers.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

Resolution No. 2527 RE: Authorizing and Approving a Part 360 Permit Renewal, a Part 360 Permit Modification to Increase the Limit of Source Separated Organics (SSO), and Construction and Operation of a New Compost Bagger Building

Tim DeGraff stated that this resolution has to do with the Part 360 permit renewal, a Part 360 permit modification, and the construction and operation of the new bagger/education building. Sterling Environmental worked with the Agency to submit all of this information. DEC gave the Agency lead agency status for SEQRA. This allows the Agency to take the next steps in getting the permits renewed and to progress on the composting operation.

Charles Landi asked what the current permit amounts are for food waste and what is the Agency modifying it to.

Tim DeGraff responded that the current amount is 500 tons, changing to 2,500 tons. He said that this info is in the resolution.

Fred Wadnola added that next year the Agency will be modifying its permit to go from 2,500 tons to 5,000 tons.

Charlie Whittaker corrected him to say that they will be going up to 10,000 tons next year because of Ulster County's food waste law, and later New York State's food waste law. He noted that the staff is still pouring concrete at the new compost facility. He said more work will be done next year.

Charles Landi said that the numbers should be in the resolution.

Katherine Beinkafner replied that numbers are in the resolution already.

Fred Wadnola motioned to approve Resolution No. 2527 RE: Authorizing and Approving a Part 360 Permit Renewal, a Part 360 Permit Modification to Increase the Limit of Source Separated Organics (SSO), and Construction and Operation of a New Compost Bagger Building. Seconded by Katherine Beinkafner.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

ADJOURN

Fred Wadnola motioned to adjourn the November 30, 2020 Regular Board Meeting at 1:20pm. Seconded by Charles Landi. The motion passed 5-0.

January 25, 2021

Motion to approve the above transcribed Minutes of the November 30, 2020 Regular Board Meeting was made by Fred Wadnola, moved by Charles Landi and seconded by JoAnne Myers. 5 in favor, 0 opposed, 0 absent. Absent: _____

The minutes were approved by the Board.

Transcribed by: Brenna Whitaker, Administrative Assistant. Meetings are recorded and available upon request.

Signatures:

Fred Wadnola, Chair

Ken Gilligan, Secretary

Brenna Whitaker, Administrative Assistant