

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
FEBRUARY 22, 2021**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on February 22, 2021. This meeting was held virtually via Webex.

The proceedings were convened at 12:00pm.

The following Board members were present: Chair Fred Wadnola, Vice Chair Katherine Beinkafner, Treasurer Charles Landi, and Member JoAnne Myers. Member Lisa Mitten was excused early (1:01pm).

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, and Ulster County Legislator Manna Jo Greene, Ulster County Legislator Laura Petit, John Giuliano and Mark Swyka of Cornerstone Environmental, and Reporter Hank Gross from Mid Hudson News.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Bill Kemble noted the amount of static in the meeting and reminded attendees to please mute themselves when they aren't speaking.

CHAIR'S COMMENTS

Fred Wadnola stated that hopefully the pandemic is winding down and the Agency is able to have in-person meetings in a month or two. He thanked everyone for the work they put into making the virtual meetings happen.

APPROVAL OF MINUTES

Fred Wadnola motioned to approve the minutes of the January 25, 2021 Annual Organizational Meeting and the January 25, 2021 Regular Board Meeting. Moved by Lisa Mitten.

Roll Call Vote

Beinkafner: Aye

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 5-0.

COMMUNICATIONS AND ANNOUNCEMENTS

Fred Wadnola stated that the next Regular Board Meeting will be held on Monday, March 22, 2021 at 12:00pm. As of right now the meeting will be virtual via Webex.

RECYCLING PROGRAM UPDATE

Angelina Peone said that she wants to share some key points from the Agency's Electronics Recycling Report. In 2020 the Agency recycled 198.21 tons of electronics which is equivalent to 396,000 pounds. This includes 73 tons of computers, 64 tons of televisions, and about 60 tons of small consumer electronics. All of this material was recovered and recycled by the Agency's vendor ERI (Electronics Recyclers International) at their two locations in Massachusetts and Indiana. In 2020 the program had approximately 2,669 drop offs, with about 88% of those drop offs coming from Ulster County. The program is open to any resident regardless of County residency, non-profit organizations with fewer than 75 employees, and businesses with fewer than 50 employees. The program operates on Saturdays seasonally and is currently on pause until spring.

Angelina Peone also stated that the team is also working on some spring classes as well as other media in development.

Katherine Beinkafner stated that on March 24 the Rotary Club is holding an electronics waste collection at the Plattekill Town Hall from 9am-3pm.

Fred Wadnola said that he has received several phone calls asking him when the Agency will have compost available. He asked Charlie Whittaker for an update.

Charlie Whittaker replied that the staff has been screening little by little and there currently is compost available for sale. There is not a lot available, but there should be a lot come April. He and Angie are planning to do some testing on this batch shortly, and test results can take 2-3 weeks. Staff had to be pulled away from screening compost for a period of time due to floor repairs.

Charles Landi stated that Dennis Larios is working on a permitting situation for the Town of Saugerties for leachate delivery. He asked Charlie Whittaker if he has any idea what the status of that is.

Charlie Whittaker responded that he is waiting for Saugerties to tell him that they got approval to take it. Currently the Agency is still taking leachate to the City of Kingston, Beacon, and Poughkeepsie. He said that there was supposed to be an answer back in November, and it still may be some time due to the DEC not being fully staffed.

Charles Landi said that Dennis Larios indicated to him that the DEC's regulations are quite intense and that is where the holdup is.

Charlie Whittaker said that the process of getting approved to take leachate to Beacon or Poughkeepsie went relatively fast. He said he cannot answer why Saugerties is taking so much longer.

GENERAL REPORTS

Tim DeGraff presented the MSW and Recycling Tonnage reports:

MSW

	January 2021		
	Target Tonnage	Actual Tonnage	Difference
MSW	9,362 tons	9,922 tons	560 tons
Sludge	253 tons	245 tons	-8 tons

Recycling Tonnage

	January 2021	January 2020
Commingle	132.40 tons	106.32 tons
Glass	40.60 tons	58.16 tons
Mixed News	76.77 tons	95.03 tons
Kingston City Hard Mix	85.03 tons	97.08 tons
OCC	214.67 tons	183.79 tons
Food Waste	244.88 tons	530.15 tons

Tim DeGraff noted that some of the material changed after February/March/April when the pandemic hit. He said that he thinks the changes from last January to this January are mainly pandemic related and how it has changed operations. Some changes may also be weather related. He said he and Charlie Whittaker want to get a clearer picture on why the food waste is still down, though he thinks it is probably pandemic related as well. He is still unsure how the new food waste law will affect the Agency's food waste numbers going forward, or if the law is being enforced during the pandemic.

Recycling Market Update

Charlie Whittaker said that Agency is moving some natural, though there have been some delays in trucking due to the recent storms. A load of E-waste is going out today that was supposed to go out last Friday, but the pickup was delayed due to the weather. Three loads of plastic (natural, colored, and PET) are going out and the prices look really good. PET is starting to move up a little bit. This month the prices on all of the commodities are good and he has no complaints. Natural is still way up at \$0.73/lb. Mixed plastic is starting to rise as well. News and OCC are good as well. Right now there is no cost for hard mix which is really beneficial to the City of Kingston because if there were, they would be paying for it.

Charles Landi asked for a status update on E-waste.

Charlie Whittaker responded that the Agency will be opening back up on Saturdays for E-waste recycling in April. He has been dealing with ERI as well ask speaking to a couple other companies that would be willing to take it but he will be sticking with ERI for now.

Charles Landi asked if the Agency is still taking E-waste from residents.

Charlie Whittaker replied that the free recycling is not running until April, but E-waste does still come in on loads and gets pulled out for recycling as required by law.

Charles Landi told Fred Wadnola that he has good news about the Agency's Local Solid Waste Management Plan (LSWMP).

Fred Wadnola replied that the LSWMP is already on the Agenda under old business.

FINANCIAL MATTERS

Tim DeGraff presented the December 2020 and January 2021 Treasurer's Reports and the January 2021 MRF Cost Center Analysis.

Treasurer's Report

Tim DeGraff reminded the Board that they didn't vote on the December Treasurer's report so that he had time to finalize the year-end numbers.

Tim DeGraff showed the Board the December Treasurer's report, with any changes from when it was presented at the December meeting highlighted. The new Year to Date fund balance is a deficit of \$(1,275,083).

Charles Landi asked if the Board should be worried about the fund balance being a negative number.

Tim DeGraff said no, and that he has explained previously the Agency had a positive fund balance at the end of the prior year, so it was decided that instead of moving that money to operating reserves he would carry it over to be used on capital purchases.

Fred Wadnola asked Tim DeGraff to explain the term fund balance to the Board. He said the way the Agency is set up, it really does not have a fund balance.

Tim DeGraff said the term fund balance was used when he started here and he carried it forward because people are more familiar with that term. He said technically it should be net assets, which is what is listed on the Agency's financial statements. It can also be called retained earnings.

Fred Wadnola motioned to approve the December 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.

For the month of January the Agency's MSW tons were 7,321 and C&D tons were 2,601. Revenue line item of note: Recycling service fees were \$12,726 due to fee changes that were approved in the budget last year (mattresses, tires, fluorescent lightbulbs, diversion). Total revenue for the month was \$1,153,290. No expense line items of note. Total expenses for the month of \$966,756. Net operating revenue was \$186,534. Capital outlay of \$63,958 related to the compost expansion. For the month of January, the fund balance was \$122,576.

Charles Landi motioned to approve the January 2020 Treasurer's Report. Seconded by JoAnne Myers.

Roll Call Vote

Beinkafner: Absent (due to technical difficulties)

Landi: Aye

Myers: Aye

Mitten: Aye

Wadnola: Aye

The motion passed 4-0.

MRF Cost Center Analysis

For the month of January, tipping fees were \$0. The total sale of recyclables was \$27,046. Total transport/disposal costs for January were \$5,513. Net revenue of \$21,533. Total personnel expenses were \$35,848. Total operating expenses were \$10,687. Total personnel/operating costs were \$46,535. Net loss for the month of \$25,002.

Tim DeGraff noted that he added a line for MRF glass, which is a MRF residual, making the report more accurate.

ADMINISTRATIVE MATTERS

OLD BUSINESS

Local Solid Waste Management Plan

Tim DeGraff said that the full legislature voted on and approved the LSWMP this past Tuesday. A formal notification letter will be going out to the DEC this week. He added that the Agency hasn't had an approved plan since the '90s, so none of the current Agency staff has been through this before. Staff has already met a few times regarding the plan, and will have to monitor the Agency's progress throughout the first two years. Angeline Peone has set up a Google Doc for staff to update as tasks are accomplished. He asked the Board how they want the staff to report on this (monthly, quarterly, biennially, etc.).

Fred Wadnola said that the DEC took six and a half years to approve the last plan. This plan is already in year two. He said Tim DeGraff and staff should be reporting to the Board about progress on the plan on at least a quarterly basis.

Tim DeGraff said he has asked a few different people if the plan is already in its first year, or if the first year doesn't start until the plan is approved. So far everyone has told him that the first year doesn't start until formal approval – though that doesn't mean the staff didn't start taking any action on the plan. So technically the two year reporting wouldn't happen until two years from now.

Fred Wadnola corrected Tim DeGraff, saying that the DEC approved the plan last year.

Tim DeGraff explained that the DEC gave the Agency an "approvable" letter. They did not approve the plan.

Ken Gilligan stated that Tim DeGraff is correct.

Fred Wadnola said it needs to be resolved whether the Agency is in year one or year two.

Tim DeGraff said the Agency is in year one.

Ken Gilligan agreed.

Charles Landi said that this might be a problem. The legislature approved the plan 22-0 with one absent. There were some amendments that they were talking about holding up until the first biennial review.

Fred Wadnola said that he doesn't think the legislature can legally amend the Agency's plan, but they can make comments about it.

Ken Gilligan said he thinks what the legislature meant is that they will make recommendations for revisions during the biennial review.

Charlie Landi noted that legislators were part of the process of putting together the plan, so they had their chance for input at that time.

Ken Gilligan said that legislature is only saying that when the two years are up they may add something to the plan.

Charles Landi read a timeline of past milestones for the plan. He added that the closure of Seneca Meadows is bearing down on the Agency.

Mark Swyka said that he has been in communication with Tim DeGraff and they are in the process of preparing the notification to the DEC. That notification will alert them to the satisfaction of the requirements associated with their approvable letter. With that letter, the Agency will be stating that the clock has started for the two year biennial review.

Charles Landi said now the Agency needs to hire a consulting firm to find a location for a landfill.

Fred Wadnola said the Agency first has to make sure it has the money to pay them.

Charles Landi replied that the Agency has bonding authority for \$500,000.

Fred Wadnola asked Tim DeGraff what the Agency's bonding authority is.

Ken Gilligan said \$500,000 is correct.

Fred Wadnola said that is probably enough to hire for at least preliminary surveys and so forth.

Charles Landi quoted a news article by Daily Freeman reporter Patricia Doxsey that states: "lawmakers said it would take significantly less than \$500,000 to hire a consultant to do preliminary work to identify potential landfill sites."

Katherine Beinkafner said that she wants to point out that the Agency is supposed to be following the plan. The plan does not say that the Agency is going to run out and site a landfill right away. It says the Agency is going to evaluate different technologies. She said she is absolutely against the concept of hiring anybody right now to site a landfill.

Charles Landi reminded Katherine Beinkafner that he sent her a recording of the DEC meeting where Kelly Turturro indicated that the time was right to proceed with a landfill in Ulster County because of what is happening with Seneca Meadows. He stated that when the question was asked of her if there are any other waste diversion plans on the horizon, she said not at this time. He said he wants to know what the Board is waiting for, if they're waiting for Seneca Meadows to shut down.

Fred Wadnola asked Charlie Landi to allow the next presentations to proceed.

Lisa Mitten said she would like to speak to Tim DeGraff's original question, and request that staff identify three to six strategic priorities for the year now that the Agency is entering year one of the plan. Given the great Board interest in the future of solid waste for Ulster County, that the staff propose a strategy forward that they intend to implement – weighing all of the complex perspectives that different Board members are offering at this time.

Fred Wadnola asked the Board to allow Tim DeGraff to give the Solar Update, after which he'll present information about different companies he's contacted about solid waste.

Solar Update

Tim DeGraff stated that he, Charlie Whittaker, and Angelina Peone had a Zoom meeting with a consulting firm called Usource for solar. The Agency would save an estimated 10% on energy costs by buying into a community solar farm. The consultants sent the Agency an agreement, which Ken Gilligan reviewed before he signed it. There will be no charge to the Agency. The consultants get paid their fees by the developer. He stated that the company that supplies the Agency's energy and the company that delivers the Agency's energy are two separate entities. Central Hudson delivers it and Direct Energy supplies it. The Direct Energy contract runs out June 30, 2021. Direct Energy was found through a municipal purchasing group called MEGA, which the Agency has participated in for a number of years now. When the Agency buys into the community solar farm, the bills will be combined saving the Agency more money. The process will take about 4-8 weeks. When that is complete, staff will meet with the consultants to discuss different possibilities including a potential solar farm on site, or solar installations on top of Agency buildings. He thinks this is a good step for the Agency moving forward.

NEW BUSINESS**Pyrolysis Presentations**

Tim DeGraff stated that staff has been looking into new technologies for solid waste per the LSWMP. Staff spoke to two different companies, Green Waste Energy and Caribou Fuels about the possibility of the Agency utilizing pyrolysis. He said that he doesn't know if the Agency should be relying on just one technology for solid waste disposal. It would be great if this technology could handle all of the plastics and turn it back into fossil fuel. The first step is to learn about the technology to see if the Agency can do anything with it. If the Board is interested, he will set up presentations by both companies, which will be part of the Agency's evaluation for the LSWMP as a whole.

Fred Wadnola asked Tim DeGraff to tell the Board a little bit about both companies.

Tim DeGraff replied that Green Waste Energy is out of New Jersey, and they are building a plant near Schenectady that staff will be able to visit once it's completed. Caribou Fuels is out of California, and Angelina Peone is very familiar with their technology.

Fred Wadnola said that he and Katherine Beinkafner have both spoken to Sierra Energy out of California, who has a zero waste operation on an Army base. They are in their first year and are developing a commercial prototype. Their technology is very expensive and they are only able to handle a very limited amount of tonnage.

JoAnne Myers asked if the Agency will be putting out an RFP.

Tim DeGraff answered that if one of these technologies works for the Agency, he would like to do an RFP for a pilot project to get it started. He said that the DEC requested a proven technology, and the way to do that is to start with a pilot project, just like the Agency did with its compost operation.

JoAnne Myers said that burning plastic forms dioxins, and she would like the staff to keep that in mind.

Tim DeGraff said the point of the presentations will to be to learn about each process, so if they do learn that one of the technologies produces dioxins they will take note.

Angelina Peone stated that flash gasification or pyrolysis is not incineration. It is a thermal processes, but different from what JoAnne Myers might be thinking of. She said this is why the presentations are important, to learn about each company's research and what is possible as far as pollution control.

Katherine Beinkafner said that New York State has very strict standards for air quality, so if a process didn't meet those standards the Agency wouldn't be able to use it anyway. She added that she has spoken to Green Waste Energy multiple times over the past year.

C&D Compliance

Tim DeGraff said he has heard many things over the past few months about C&D and how it relates to the Agency. He has also been hearing many suggestions that has him concerned. The staff work in this arena every single day and are familiar with the inner workings. Charlie Whittaker is going to give some information regarding C&D and how it relates to MSW from an operational and a compliance standpoint.

Charlie Whittaker said that in compliance with the Agency's permit, staff pulls out clean wood and then rubble, shingles, vinyl siding, and insulation are mixed with MSW and sent out to the landfill. 35 to 39 tons of this mixture goes into each trailer going 300 miles away. If the Agency were to separate C&D, he doesn't see the Agency's benefitting at all, especially with tipping fees the way they are. These days the Agency generally doesn't receive much dirt/rubble due to the cost to dump it so contractors are often using it as fill. Back in 2005 the Agency did attempt grinding of C&D, but it required a permit modification. It also caused a lot of dust problems because the grinding has to be done inside the building, which in turn ruined a lot of the Agency's equipment and possibly polluted the air due to unidentified asbestos. The Agency does accept non-friable asbestos, but it is very strictly managed so that it does not contaminate anything. He said that separating the C&D would be a major issue for making sure the floors are clean each night. Lighter loads would need to be sent out to the landfill each day which would be a problem for the hauler and a cause for excess carbon emissions. He cannot see any reason to apply for a permit modification to separate C&D. There is no beneficial value to C&D. The Agency has learned from experience that it doesn't work, so it should continue the way it is currently operating. He added that last year staff pulled out 106 tons of clean wood, which he thinks is a very good number. The year before that staff only pulled out 31 tons. Last year staff pulled 2,645 Freon units. The prior year was 1,830. He continued to list the amount of different items that were diverted, all at a much higher rate last year compared to 2019 (tires, fluorescent bulbs, ballasts, yard waste, car batteries, propane tanks, etc.). In all of 2020, Agency staff pulled 8,722 units and 3,110 tons from the waste stream. In 2019 and 2020 combined, Agency staff pulled 15,174 units and 5,592 tons from the waste stream. In 2019 and 2020 the Agency had 146,000 customer transactions at New Paltz and Ulster inbound scales combined. He said he is always open to suggestions, but they have to be reasonable. And the current suggestions do not make any sense with everything the Agency is already doing.

JoAnne Myers asked for a copy of those numbers to show the zero waste groups that she is working with.

Fred Wadnola asked Charlie Whittaker if the Agency is the only DEC permitted compost site in Hudson Valley.

Charlie Whittaker responded that yes it is, except for Rockland County's biosolids facility.

ADJOURN

Fred Wadnola motioned to adjourn the February 22, 2021 Regular Board Meeting. Moved by JoAnne Myers and seconded by Katherine Beinkafner. The motion passed 4-0 (Mitten absent).

Roll Call Vote

Beinkafner: Aye
Landi: Aye
Myers: Aye
Mitten: Absent
Wadnola: Aye

The motion passed 4-0.

March 29, 2021

Motion to approve the above transcribed Minutes of the February 22, 2021 Regular Board Meeting was made by Charles Landi, moved by Lisa Mitten. 4 in favor, 0 opposed, 0 absent, 1 abstention (Kacandes).

The minutes were approved by the Board.

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

Signatures:



Katherine Beinkafner, Chair



Ken Gilligan, Secretary



Brenna Whitaker, Administrative Assistant