

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
AUGUST 23, 2021**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on August 23, 2021. This meeting was held in person at the Agency's Main Office located at 999 Flatbush Road, Kingston, NY 12401. There was also a call-in audio option available through Webex.

The proceedings were convened at 12:00pm.

The following Board members were present: Chair Katherine Beinkafner, Vice Chair JoAnne Myers, Treasurer Charles Landi, and Member Lisa Mitten. Member Thomas Kacandes was absent.

Also present were: Counsel/Secretary Kenneth Gilligan, Executive Director/Controller Tim DeGraff, Director of Operations and Compliance Charlie Whittaker, Director of Sustainability Angelina Peone, Recycling Educator Melinda France, and Compliance Officer Larry Ricci.

From the public: Kingston Area Soccer League representative Doug DeKoskie, Ulster County Comptroller March Gallagher, Ulster County Legislator Manna Jo Greene, and Daily Freeman reporter Bill Kemble.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Katherine Beinkafner said that March Gallagher asked for the minutes of the previous meeting be corrected to change Alicia DeMarco to Elizabeth Weredyk.

CHAIR'S COMMENTS

Katherine Beinkafner said she has been trying to set up a meeting with the company in California that makes plastic blocks out of all types of plastic that doesn't need to be sorted.

APPROVAL OF MINUTES

Katherine Beinkafner motioned to approve the corrected minutes of the July 26, 2021 Regular Board Meeting. Moved by Charles Landi. Seconded by JoAnne Myers. 3 in favor, 0 opposed, 1 abstention (Mitten), 1 absent (Kacandes). The motion was approved.

COMMUNICATIONS AND ANNOUNCEMENTS

A Public Hearing regarding the 2022 budget will be held on Monday, October 4 at 12:00pm. A Regular Board Meeting will be held immediately following at 12:30pm.

RECYCLING OUTREACH TEAM PROGRAM UPDATE

Angelina Peone presented the program update.

The goal of August's messaging has been to inform the public about the Agency's mission, history, function, and to address frequently asked questions.

The Household Hazardous Waste Event was held on Saturday the 21st in New Paltz. It was the third event this year. 200 Ulster County households participated. A fourth event was added this year. The events are free to Ulster County residents and there are specific guidelines for participants to follow. In 2019 the Agency invested over \$125,000 in this service. The Agency does receive a 50% reimbursement for the program. The Agency has brought in approximately 26,000lbs of toxic materials just at the first two events from a total of 429 households. The next event is Sunday, October 24th here at the Kingston facility. The events are rotated between the two facilities in Kingston and New Paltz, but in the future they may hold them in different towns to expand access to the program.

Katherine Beinkafner mentioned that the Bruderhoff community produces and delivers compost.

GENERAL REPORTS

Tim DeGraff stated that year to date the Agency is 12% over the budgeted garbage tons. Sludge is 256 tons under budget, due in part to the switch to Rockland for composting. In addition, the change in food waste tons was due to Organix, but it isn't clear why their loads vary so much. It could possibly be due to a route change.

JoAnne Myers said that she would like a 5 year comparison of this information. It was noted that previous years volumes are on the back of the report page.

FINANCIAL MATTERS

Tim DeGraff presented the July 2021 Treasurer's Reports and MRF Cost Center Analysis.

Treasurer's Report

For the month of July the Agency's MSW tons were 10,070 and C&D tons were 3,549. No Revenue line items of note. Total revenue for the month was \$1,660,898. Expense line items of note: Administration expenses \$54,390 (legal fees \$26,053), recycling education \$20,085 (P2I Grant \$3,316; FSR Grant \$12,237), transfer stations \$21,525 (NPTS drain repairs \$2,750; UTS concrete traffic barriers \$7,140), Vehicle Maintenance Facility \$11,309 (stormwater outfall site work \$6,904), HHW \$28,546 (June HHW event). Total operating expenses for the month were \$1,409,868. Net operating revenue was \$251,030. Capital outlay \$26,789 (recycling education/compost bagger building). For the month of July, the fund balance was \$224,241. Year-to-date deficit of \$279,901.

Katherine motioned to approve the July 2021 Treasurer's Report. Moved by Charles Landi. Seconded by JoAnne Myers. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

MRF Cost Center Analysis

For the month of July, the total sale of recyclables were \$52,321. Plastics sales were \$11,227. Total transport/disposal costs for July were \$5,107. Net revenue of \$47,214. Total personnel expenses were \$29,946. Total operating expenses were \$6,922. Total personnel/operating costs were \$36,868. Net income for the month of \$10,346. Year-to-date net income of \$37,567.

ADMINISTRATIVE MATTERS

Resolution #2540 RE: Authorization of Draft 2022 Agency Budget

Tim DeGraff stated that the budget is based on a 4 year average which includes an estimate for the rest of 2021. He presented the highlights of the 2022 budget:

- The tipping fee will remain flat at \$105/ton (only increased \$2/ton since 2014).
- No proposed increase in food waste and compost rates.
- Recycling service tipping fees expected to increase due to anticipated volume increases and diversion efforts.
- No recycling tipping fees are expected.
- Increase in sale of recyclables is expected based on current markets.
- Decrease in misc. revenues due to expected decrease in interest revenue and a decrease in the workers compensation dividend.
- Salaries and wages increase due to raises and staffing increases.
- Increase in insurance costs due to an increase workers compensation rate.
- HHW costs expected to decrease due to the NYS paint stewardship program.
- Transportation costs includes contractual increase of \$0.88/ton for MBI (UTS) and \$1.14/ton for GottaDo (NPTS).
- Solid waste disposal services include contractual increase of \$1.27/ton.
- Sludge disposal decrease due to volume decrease, netted with a contractual increase of \$1.50/ton.
- In order to keep the tipping fee flat with increased transportation and disposal costs, there will be a transfer in from the operating reserves and the closed landfill contingency accounts (to cover leachate expenses in the 2022 operating budget).
- The operating reserve transfer in will cover about 75% of the capital budget.
- With contractual increases, tipping fees are expected to increase \$2/ton in 2023, and \$2/ton in 2024.
- A decrease in the tipping fee is expected in 2025 due to debt service being paid off.

Katherine Beinkafner motioned to approve Resolution #2540 RE: Authorization of Draft 2022 Agency Budget. Moved by Charles Landi. Seconded by Katherine Beinkafner. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

Resolution #2541 RE: Approving the 2022 Draft Agency Capital Plan

Charlie Whittaker explained a few highlights of the Capital Plan:

- The CAT 320 excavator is the Agency's backup excavator. This will be refurbished for \$100k instead of purchasing a new one at \$250k. The 930G and the 930H were determined not to be able to be refurbished.
- The L110 was purchased two years ago to be used in the trash building. In response to the need for odor remediation, the machine was used instead for the compost which the Agency will receive a 50% reimbursement for. A new loader will be purchased for the Ulster Transfer Station.
- Most of the capital plan is for new equipment. The staff tracks equipment hours and warranties and takes very good care of it to get the most use of warranties and to get the longest life out of it.

Lisa Mitten motioned to approve Resolution #2541 RE: Approving the 2022 Draft Agency Capital Plan. Seconded by JoAnne Myers. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

Resolution #2542 RE: Authorizing and Approving the Draft Fee Schedule for 2022 Tipping Fees and Other Charges

Tim DeGraff stated that the only change on the fee schedule is the year.

JoAnne Myers asked where the special items (mattresses, air conditioners, fluorescent bulbs, ect.) go.

Charlie Whittaker replied that the propane tanks and batteries are taken to the scrap yard, as well as the Freon units once the Freon has been safely evacuated. Bulbs are boxed and sent to another company. He said that the reason the Agency accepts these items is so that they don't get disposed of in places they shouldn't due to people not being able to find a proper disposal method.

Lisa Mitten motioned to approve Resolution #2542 RE: Authorizing and Approving the Draft Fee Schedule for 2022 Tipping Fees and Other Charges. Seconded by JoAnne Myers. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

Resolution #2543 RE: Procurement of Internal Audit Services

Tim DeGraff explained that an external audit is an audit of the Agency's financial statements. An internal audit evaluates the company's internal controls including its corporate governance and accounting processes. External auditors rely on the internal audit report. There are different firms used for each type of audit. The Agency is not required by the ABO to do an internal audit, but it is best practice. The auditors will be at the Agency monthly and report quarterly. They will be able to use the security camera footage as a new tool that was not available to them during their last internal audit engagement. A large part of what is audited is at the discretion of the Audit Committee.

Lisa Mitten motioned to approve Resolution #2543 RE: Procurement of Internal Audit Services. Seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

Resolution #2544 RE: Approving Amendment to the Personnel Manual

Tim DeGraff stated that this resolution is to approve the cell phone use policy, which was discussed with the Governance Committee at their last meeting. Previously there had been a memo regarding cell phone use given to employees, but this will be a formal policy.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

JoAnne Myers motioned to approve Resolution #2544 RE: Approving Amendment to the Personnel Manual. Seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Resolution #2545 RE: Approving Compost Sales Policy

Tim DeGraff explained that he put together this policy after discussing it during the last Governance Committee meeting. A conflict of interest policy will be tackled by the Governance Committee at its next meeting.

Charlie Whittaker explained a need for the “no refunds” part of the policy and went over issues they’ve dealt with in the past.

Angelina Peone added that if a buyer would like to make an appointment to inspect the compost before purchasing that is an option.

Charles Landi motioned to approve Resolution #2545 RE: Approving Compost Sales Policy. Seconded by JoAnne Myers. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

Resolution #2546 RE: Approval of HydroQuest Proposal for Identifying Potential Landfill Sites in Ulster County, New York

Katherine Beinkafner stated that this is a GIS project, which will block out areas that cannot be considered for a landfill based on DEC regulations. This includes wetlands, steep slopes, carbonate rocks.

JoAnne Myers added potential environmental justice areas to the list.

Charles Landi reminded the Board that Chair David Donaldson of the Ulster County Legislature and Kelly Tutoro of the DEC Region 3 both recommended that the Agency hire a consultant for this purpose. The Agency’s LSWMP which was approved by the Legislature heavily emphasized the hiring of a consultant.

Lisa Mitten asked that the resolution highlight NYC watershed areas.

Angelina Peone pointed out that in HydroQuest’s proposal it does list that under “Landfill Siting Restrictions”.

Charles Landi stated that the reason for the need for a 200 acre parcel is so that a landfill will last 75 years at Ulster County’s current rate of disposal.

Charlie Whittaker explained the challenges of single stream recycling and recyclable items that end up in the landfill due to lack of enforcement of the recycling laws.

Larry Ricci recommended working with the Ulster County Planning Board to get information on subdivisions so that the Agency could project the increase in the rate of disposal.

Lisa Mitten motioned to approve Resolution #2545 RE: Approving Compost Sales Policy. Seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

Roll Call Vote

Beinkafner: Aye

Myers: Aye

Landi: Aye

Mitten: Aye

Kacandes: Absent

The motion was approved.

OLD BUSINESS

NEW BUSINESS

Kingston Area Soccer League (KASL)

Tim DeGraff introduced Doug DeKoskie from KASL. KASL is looking to purchase a large quantity (300 tons) of compost for their new fields on Kukuk Lane in the Town of Ulster. He is in favor of allowing the purchase, as is the Town of Ulster Supervisor.

Charlie Whittaker confirmed that there is enough compost available.

Tim DeGraff said that there is extra right now because some previously screened compost overs were being blocked by the concrete work. Now that the work is complete in that area the overs were able to be screened and is ready to be sold.

JoAnne Myers said that she thinks this would be good for the Agency's relationship with the Town of Ulster.

The board was in favor of this bulk sale.

Food Waste Law

Charles Landi asked Manna Jo Greene if she believes the Agency should play a role in enforcement of the food waste law going into effect in January.

Manna Jo Greene replied that she does not have a position on the matter. The law says that the County Executive gets to decide who is in charge of enforcement, but that has not been done. The Health Department made a good case for why they should not be involved in enforcement. Some people think

that because the Agency is in charge of enforcing the recycling law that it should also do the same for the food waste law. A determination will need to be made soon.

Ken Gilligan recalled the enforcement issue being discussed before the law was passed with the environmental committee, Marc Rider, Tim Rose, the health commissioner, and some of the legislators. He believes that at that time it was determined that the Health Department would do the enforcement.

Charles Landi said that in his opinion if the County insists that the Agency do the enforcement then the net service fee should come back in order to cover the added expenses to the Agency.

Katherine Beinkafner asked Manna Jo Greene how New York State is planning to have their law enforced, since it is most likely similar to Ulster County's law.

Manna Jo Greene replied that she doesn't know, but that it's probably the DEC.

Larry Ricci said that the solid waste program of the DEC has been almost cut in half in the last five years. He doesn't think they would be able to do more than they are already doing.

Charlie Whittaker stated that the Health Department will have to be involved no matter what, and it would be redundant not to have them do the enforcement. He said the Agency needs to focus on the existing recycling laws.

Manna Jo Greene said there needs to be a stakeholder meeting with everyone present.

Kingston Area Soccer League (KASL)

Doug DeKoskie shared more about KASL and their purchase of the land on Kukuk lane so that they could have their own soccer fields to play on. The land was purchased approximately five years ago and has it taken a long time to build the fields due to the cost. It required 15,000 units of fill. Hopefully the field will be ready to play on by spring. They still need about 3,000 cubic yards of topsoil which is very expensive. A compost/sand blend would be perfect for the upper course.

Vaccination Requirement

Tim DeGraff said that since the County and other entities are instituting vaccination/testing requirements, he wanted to get the Board's opinion on if the Agency should have one as well. He said that the risk to the employees here is low and extra precautions are being taken, but that the Agency cannot control what employees do outside of work. The garbage must keep moving and the Agency cannot lose a chunk of its staff.

Charlie Whittaker added that only four staff members are not vaccinated, and two of them contracted Covid. He thinks the Board should consider a vaccine mandate.

Larry Ricci stated that he was overseeing Somers Transfer Station at the beginning of the year. They lost 50% of their staff due to a Covid outbreak at the facility. He said that the Agency is working with a very lean staff and if they lost even 30% of the staff the operations would be debilitated.

Charlie Whittaker added that a loss of staff like that would have a ripple effect to the towns.

JoAnne Myers said that she supports requiring vaccination (unless a doctor's note is provided) since the Pfizer vaccine has been FDA approved.

Katherine Beinkafner agreed.

JoAnne Myers said that anyone who can't be vaccinated will need to be tested weekly. She asked who would be paying for that.

Tim DeGraff said that the Agency would not.

JoAnne Myers asked if the Agency's health insurance would cover it.

Angelina Peone answered that MVP will not pay for Covid tests unless the person is symptomatic.

The Board and staff collectively discussed the Agency's duty to protect the community, and its role as an essential service. They agreed to come up with some sort of policy to be voted on at the next meeting.

ADJOURN

Lisa Mitten motioned to adjourn the August 23, 2021, Regular Board Meeting, seconded by Charles Landi. 4 in favor, 0 opposed, 1 absent (Kacandes). The motion was approved.

October 4, 2021

Motion to approve the above transcribed Minutes of the August 23, 2021 Regular Board Meeting was made by JoAnne Myers, moved by Lisa Mitten. 4 in favor, 0 opposed, 1 absent (Kacandes).

The minutes were approved by the Board.

Transcribed by: Brenna Whitaker, Administrative Assistant. Meetings are recorded and available at www.ucrra.org/about-us/board-of-directors-meetings-minutes/.

Signatures:



Katherine Beinkafner, Chair



Ken Gilligan, Secretary



Brenna Whitaker, Administrative Assistant