

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
MINUTES OF THE REGULAR BOARD MEETING
MARCH 24, 2022**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on March 24, 2022. This meeting was held in person with a call-in option.

The proceedings were convened at 4:02 PM.

The following Board members were present: Chair Katherine Beinkafner, Vice Chair Tom Kacandes (by phone), Treasurer Charles Landi, Member Margot Becker, and Member James Gordon.

Also present were: Counsel/Secretary Kenneth Gilligan, Executive Director/Controller Tim DeGraff, Director of Operations and Compliance Charlie Whittaker, Director of Sustainability Angelina Brandt, and Office Manager Melinda France.

From the public: Reporter Bill Kemble from the Daily Freeman, Ulster County Legislator Manna Jo Greene, Supervisor James Quigley from the Town of Ulster, Ulster County Deputy Comptroller Alicia DeMarco, District Manager, Kyle Black of the Seneca Meadows Landfill and Penny Coleman of the Rosendale Environmental Commission.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Alicia DeMarco, Ulster County Deputy Comptroller, asked what the expected volume of bagged compost would be for this year. Tim DeGraff responded that the Agency has no idea how much volume will be bagged; and he just estimated 1000 bags. Alicia DeMarco added that she is excited to see the composting bagging program kick off. Charlie Whittaker stated that 5 tons have been put aside to bag.

Supervisor Quigley acknowledged and thanked the Agency for the use of the grinder. The Supervisor stated the Town of Ulster had 25,000 cubic yards of organic waste collected from the ice storm.

The Agency will use the chips for the compost.

CHAIR'S COMMENTS

None

APPROVAL OF MINUTES

Charles Landi motioned to approve the minutes of the February 28, 2022, Regular Board Meeting. Seconded by James Gordon. 5 in favor, 0 opposed, 0 absent.

COMMUNICATIONS AND ANNOUNCEMENTS

- Audit Committee Meeting is scheduled for March 29, 2022, at 2:00 PM by WebEx
- Regular Board Meeting is scheduled for April 28, 2022, at 4:00 PM in person

RECYCLING OUTREACH TEAM PROGRAM UPDATE

Angelina Brandt provided the Recycling Outreach Team update.

She stated for the month of March the monthly outreach topic was waste sustainability tips for Spring Cleaning. The messages were:

- Raising awareness of using eco-friendly, all natural cleaning alternatives
- Tips to de-clutter the home during Spring Cleaning
- Safe use, safe storage and safe disposal of chemical cleaning agents

The above theme was shared on the monthly social media campaign. Tanesia White, Recycling Educator prepared a new Blog post “Sustainable Spring Cleaning”. Angelina stated that Tanesia has been very committed on continuing to translate the social media in Spanish. Angelina reminded the Board that the entire website translates into Spanish and the new outreach media is bilingual as well.

The Recycling Outreach Team had:

- 60 plus calls/6 hours on the Recycling Hotline
- 7.25 hours of other direct engagements through tours, programs and other events
 - Webinar, March 7th-“Rethinking School Waste” for New Paltz Middle School Climate Club
 - Webinar, March 9th-“Recycle Right” for Unitarian Universalist Society Congregational of the Catskills
 - Webinar, March 15th-“Marking & Using Compost in the Garden” in collaboration with the Town of Esopus Public Library
 - Tour, on March 9th for the Town of New Paltz Climate Smart Task Force
 - Tour, on March 23rd for the Feeding New York State & Hudson Composting Services

These programs reached 50 adults and 3 youth participants.

The Recycling Outreach Team prepared new webpages for the website. The webpages include information to help residents find reuse/refurbish organizations, and repair/donation locations. The Recycling Outreach Team will be continuing to work on these pages.

The free electronics collection program will resume on April 2nd from 8am-2pm at the Kingston facility. Appointments are not required.

GENERAL REPORTS

Tim DeGraff presented the February general reports.

MSW REPORT

February MSW tonnage for the month of February was 8,768 tons which was 1,173 tons more than targeted tons. Year-to-date the MSW tons is over the targeted tons by 688 tons.

Tim stated the sludge targeted tons were almost spot on. Sludge tonnage for the month of February was 4 tons less than the year-to-date targeted tons.

Recycling Report

Tim pointed out that brush. Brush was 119 tons which he believes is relative to the ice storm. He noted that usually brush will not be that high in February. He noted last February brush was only .4 tons.

FINANCIAL MATTERS

Treasurer's Report

MSW for the month of February was 6,657 tons and C&D was 2,111 tons. No revenue line items of note. Total revenues for the month were \$1,088,656. No expense line items to note. Total operating expenses \$1,051,493. Net operating revenues of \$37,163. Capital Outlay was in the amount of \$156,760 for refurbishing the CAT excavator. An annual debt service payment in the amount of \$1,790,000 was made. Fund balance is a deficit of \$1,909,597. Year-to-date fund balance is a deficit of \$1,725,934. Tim added the deficit is usually made up around September.

Charles Landi made a motion to approve the **February Treasurer's Report** and it was seconded by James Gordon. 5 in favor, 0 opposed.

MRF Cost Center Analysis

For the month of February, the total sale of recyclables was \$33,035. Total transport/disposal costs for February were \$3,952. Net revenue of \$29,083. Total personnel expenses were \$34,327. Total operating expenses were \$7,885. Total personnel/operating costs were \$42,212. Net loss for the month of February was \$13,129. Year-to-date net income of \$5,557.

ADMINISTRATIVE MATTERS

Resolution # 2563 Re: Authorizing and Approving the Purchase of a Grapple

- Will be used with the 2006 CAT 320
- Will take about a year to receive

James Gordon motioned to approve **Resolution #2563 RE: Authorizing and Approving the Purchase of a Grapple**; seconded by Margot Becker. 5 in favor, 0 opposed. The motion was approved.

Resolution # 2564 Re: New proposed sale price of 1 cubic foot bags of compost at \$5.00/bag

- The price includes the tax
- Bagging building is all set-up with the bagger
- Bags are already purchased
- Prices were compared from other organizations and stores that sell compost
- Sale of bags will be controlled-pay ahead than pickup by the office
- The bags are printed with the legal requirements of what must be printed on the bag. This includes the address where the compost is produced, weight/volume, and the ingredients that went into the mixture.

- The compost is STA certified and it will bear the seal of Testing of Assurance on the bag as well. There will be a technical data sheet provided with planting application rates and methods on how to use the compost.

Charles Landi asked if there is anything that indicates DEC certification. Angelina responded that she believes the bag states the Agency is a DEC permitted facility but there is no certification with the DEC just a certification with the US Composting Council.

Charles Landi motioned to approve **Resolution # 2564 Re: New proposed sale price of 1 cubic foot bags of compost at \$5.00/bag**; seconded by Katherine Beinkafner. 5 in favor, 0 opposed. The motion was approved.

Tom Kacandes commented that the Agency should have a printout or something that could be handed out to the customer that would state that they might want to open the compost bag and let it sit before applying due to it being hot and might burn the plants. Charlie Whittaker stated that is not a bad idea. Angelina Brandt added that the aged material has been sitting for 6 months and should be dry and cool. Angelina also stated that the Agency has never received a complaint regarding that the compost killed their plants. Tom Kacandes said this would be an extra warning to protect the Agency.

Manna Jo Greene, Ulster County Legislator, asked if the compost will still be sold in bulk. Katherine Beinkafner stated the Agency will still sell compost in bulk. Charlie Whittaker added that the Agency generates too much compost to just bag.

OLD/NEW BUSINESS-

No **Old Business**.

Four matters were discussed in **New Business**. (To hear these discussions in **full**, please visit the recording at <https://ucrra.org/about-us/board-of-directors-meetings-minutes/>)

- Landfill discussion with Kyle Black, District Manager of Seneca Meadows Landfill (Recording 25:00-1:09:49)
- Discussion of the Reuse Innovation Center (RIC) RFP (Recording 1:10:36-1:50:54)
- Biennial update to the Local Solid Waste Management Plan (LSWMP) (Recording 1:51:03-2:00:04)
- Discussion of the New Paltz uncovered cardboard roll-offs and how to provide covered roll-offs (Recording 2:00:09-2:03:58)

LANDFILL DISCUSSION (Recording 25:00-1:09:49)

Kyle Black, District Manager of Seneca Meadows Landfill came to discuss the landfill. He brought a site map of the layout of Seneca Meadows Landfill, so the staff and board members had a visual of the landfill.

Kyle Black's discussion included:

- His background. He stated he has been with Seneca Meadows Landfill for over 20 years.
- The history of Seneca Meadows Landfill through time. The landfill started in the 1950's as the town dump and was owned by the Tantalio family.

- Rumors of the landfill closing in 2025. He stated that is not the case.
- He pointed out the routes, staging areas, drop and hook areas, and the layout of the landfill and the property on the site map.
- Linings on the landfill
- Wetlands on site
- Agreement with the surrounding towns and zoning
- Expanding the landfill on the property
- Plans for the future
- Local Law they have been challenging & legal proceedings
- Host Community Program
- Tire recycling program-the landfill collects 13,000-15,000 tons of tires. The tires are ground up and used as an aggregate on site.
- Permit-permitted up to 6,000 tons a day and operates 359 days a year
- Beneficial use program-permitted up to 20% for beneficial use
- Gas collection system
- Permits-approximately 30 permits
- Permit with DEC expires December 21, 2025
- Reuse and managing the waste
- Tipping fee and recycling

Kyle Black thanked the Agency and Board. He also invited everyone to come for a tour of the facility.

REUSE INNOVATION CENTER (RIC) RFP (Recording1:10:36-1:50:54)

There was a discussion regarding a motion that James Gordon wanted to make with respect to the staffs' comments being presented to the Department of Environment regarding the Reuse Innovation Center RFP. The comments are due by March 25, 2022.

James Gordon made a motion that no comments, at all, will be sent from the RRA regarding the scoping document and additionally, the Agency staff will conduct no further meetings with engineers nor spend any additional Agency funding on the proposed C&D Diversion Building referenced on page 7, of the March 18th document until the full RRA Board of Directors meets with Agency staff to conduct a detail operation review and planning discussion.

A discussion ensued with the following comments/points regarding the motion:

- Charlie Whittaker asked for James Gordon to clarify the motion
- James Gordon stated that some of the board members were unaware of this document until a couple of days ago and this is the first time for discussion
- Ken Gilligan said discussion should have been brought sooner
- Katherine Beinkafner wanted clarification on what the "scoping document" was
- James Gordon responded that it is the scope to prepare the RFP
- James Gordon stated the staff provided the comments to the Board due to the Board's request and it is not in concordance with the views of the majority of the RRA Board, in his opinion
- Ken Gilligan asked if James Gordon knew that already before there was a vote
- James Gordon reiterated that it was his opinion

- Tom Kacandes seconded the motion
- James Gordon stated to call the vote unless anyone wants a discussion
- Ken Gilligan stated the Board and staff is allowed discussion
- Katherine Beinkafner stated the staffs' comments were solicited by the Department of Environment long before the new board members started, and the staff reviewed the document and prepared the comments as requested
- Margot Becker added that she doesn't believe it was long before anyone became part of the Board, and it was pretty recent
- James Gordon added to Margot Becker's comment that it was February 11th
- Tom Kacandes stated it was appropriate that the staff prepared comments and was helpful for the Board to review them which led to the motion
- James Gordon stated the deadline is March 25th and there is no time to fix it
- James Gordon and Margot Becker stated there is so much in the comments that don't reflect their opinions
- Katherine Beinkafner responded to Margot Becker that she is on the other side of it now and wants to be "judge and jury"
- Margot Becker said the comments are disdainful, hostile and she doesn't believe the tone is correct for a professional statement or document
- With respect to the document, Katherine Beinkafner believed that Margot's comments in her email, sent to the Board and staff, were disdainful and hostile
- Margot Becker responded that her email was sent to the group and wasn't public
- James Gordon added that the comments are a public document and will become political because everything the Agency does is political
- James Gordon said the document is a loser
- Tim DeGraff responded to James Gordon's comments and asked to not be called a loser
- Ken Gilligan wanted to know if the Board was proposing to write the comments
- James Gordon and Margot Becker said there should be no comments whatsoever sent
- James Gordon said Department of Environment will come back with comments, and this would not be the only chance to weigh in on this document
- Ken Gilligan stated that staff was asked to do this by the Department of Environment
- Margot Becker and James Gordon said the Agency was asked to respond
- Ken Gilligan stated the Executive Director was asked
- James Gordon stated the RRA was asked to do this, and the comments do not reflect intelligent politically
- Margot Becker stated she felt very strongly that there was a paragraph in the comments that stated that anyone involved, which included legislatures, members of the Department of Environment, former employees, were volunteers and didn't know what they were talking about, and she felt that that comment was disrespectful, and she felt very uncomfortable with the tone
- Margot Becker stated that she believes personally you have the right to think those things but from the entity, you have to be professional and cannot show the disdain
- Tim DeGraff stated he is supposed to be professional to people who treated him like crap for the past year and it hasn't stopped. He stated he has been treated like spit, retaliated against and that is reality. He continued to say, that he's tired of being bullied, harassed and treated like crap and he is done with it.

- James Gordon disagrees with the written comment, which read, “The Agency perceives it to be inappropriate conduct of government to include volunteers and non-government officials or non-industry professionals in the development of local laws and policies”.
- Tom Kacandes stated that there is a motion and a second with respect to draft comments not being sent and he said the content of the draft comments should not be discussed
- James Gordon added that there will be no further meetings with engineers nor spend any additional Agency funding on the proposed C&D Diversion Building referenced on page 7, of the March 18th document until the full RRA Board of Directors meets with Agency staff
- Ken Gilligan asked who the discussion was with
- James Gordon responded with engineers
- Charlie Whittaker wanted to know how the staff are supposed to do their jobs. He added, staff is to come to the Board with ideas and the Board has to approve everything
- Ken Gilligan added that you are not allowing the staff to do their jobs
- James Gordon stated the staff has not come forward. He quoted from the document that the Agency has had “preliminary meetings with engineer firms to begin the process of implementing the major operational change”.
- Charlie Whittaker stated that is “negative” and no meetings with engineers have happened for any major operational change
- Ken Gilligan said the meeting is getting out of control. He stated everyone needs to know their roles. He said it is getting to the point where everything will be micromanaged and will start to fall apart.
- Charlie Whittaker added Board Members are volunteers and not employees
- James Gordon said they have a fiduciary responsibility
- Charlie Whittaker was unaware of the document the Board was discussing. The document was prepared by Tim DeGraff and Angelina Brandt.
- Ken Gilligan interrupted the discussion and stated that he believed three of the Board Members previously discussed the motion and are going to ramrod it through without discussion with the other two Board Members. He stated this should have been discussed prior to this meeting because the motion is overly broad.

There was a back-and-forth discussion between Tom Kacandes, Charlie Whittaker and James Gordon on what he could and couldn't do, diversion building, and C&D building.

- Katherine Beinkafner suggested that the comments be rewritten to delete the C&D Diversion Building
- Tom Kacandes stated the Agency and staff need to do a review of operation and get on the same page on planning.
- Charlie Whittaker stated everyone has his number to contact him if there are questions
- Charlie Whittaker agreed with Tim DeGraff that “enough is enough”
- Angelina Brandt added to the conversation that at the last Board Meeting, Margot Becker was very vocal of her involvement with other committees in the County, including the Recycling Oversight Committee, Environmental Management Council, and the Zero Waste Implementation Plan. Angelina stated that the exact concept in the RFP is related to the work that has come out of those committees that Margot has been involved in. Angelina believed that is a conflict of interest for her to vote.

- Margot Becker responded that previous Board Member JoAnne Myers was involved in some of those committees as well.
- Angelina stated JoAnne Myers was not voting to silence the staff comments on this project and Angelina felt very uncomfortable with Margot voting on this motion. Angelina said Margot was very involved with this concept. Angelina asked Ken Gilligan for clarification if this would be conflict. Angelina said she feels uncomfortable with Margot's vote due to her being on the other side and being very involved.
- Margot Becker responded that there are no sides, that everyone is all in it together and everyone is going to have to work to together to make it work.
- Tom Kacandes told Angie to hold off on that point of conflict of interest
- Ken Gilligan clarified the conflict of interest
- Margot Becker stated the comments do not address the RFP they address the project and that is the problem

Board members and staff discussed the motion in more detail.

James Gordon modified the original motion. James Gordon made a motion that no comments, at all, will be sent from the RRA regarding the scoping document for the RIC RFP at this time, to the Department of Environment. Seconded by Margot Becker.

ROLL CALL:

Beinkafner-Abstain
Landi-Nay
Kacandes-Aye
Gordon-Aye
Becker-Aye

Motion passed. 3 in favor, 1 Nay (LANDI), 1 Abstention (BEINKAFNER)

BIENNIAL UPDATE TO THE LSWMP (Recording 1:51:03-2:00:04)

Angelina Brandt advised the Board that she is working on the biennial update to the LSWMP. This biennial update is required by the State's regulations, every two years. The draft update is due May 1, 2022. This is a comprehensive update of what has been done over the last two years. She stated 95% of the document is a look back on the past two years; on what was done, what wasn't done and why. The update is compared to the Implementation Plan and Schedule table from the original document. She stated the update is about 80 pages right now. Angelina and Tim will review the draft and send it to the NYSDEC for their review by May 1st. The NYSDEC has 60 days to review and comment. If there are changes, the Agency will incorporate those changes to ensure it is in conformance with the regulations on what has to be in the document. After the changes are made, the NYSDEC has 45 days to make any other corrections. If there are no comments received regarding the update it is automatically accepted.

Charles Landi asked if Cornerstone should be involved with the updates. Tim DeGraff responded that Cornerstone will not need to be involved. Tim stated that with Angelina's new position, one of her job duties is to continuously work on the updates to the LSWMP.

A copy of Angelina's updates will be provided to Board.

NEW PALTZ CARDBOARD BOX (Recording 2:00:09-2:03:58)

Katherine Beinkafner commented about the New Paltz cardboard box. She advised that the Agency provides two different containers to the town transfer stations. One with no cover and one with a cover and doors. She stated New Paltz wanted the open box back in 2017. She stated the Agency will not be buying any new special boxes but can provide the box with the doors. Charlie Whittaker stated the boxes offered are industry standard fiber boxes. He stated the Agency has open 30s, open 40s, or closed 35-yard boxes for fiber, commingled, and/or garbage. Charlie stated if New Paltz would like a closed box to let him know.

EXECUTIVE SESSION

James Gordon moved that the Board go into executive session at 6:00 PM to discuss employee review; seconded by Katherine Beinkafner. 5 in favor, 0 opposed.

James Gordon motioned to exit executive session and it was seconded by Katherine Beinkafner at 6:35PM. 5 in favor, 0 opposed.

ADJOURN

James Gordon motioned to adjourn the March 24, 2022, Regular Board Meeting at 6:35 PM, seconded by Katherine Beinkafner. 5 in favor, 0 opposed.

April 28, 2022

Motion to approve the above transcribed Minutes of the March 24, 2022, Regular Board Meeting was made by _____ and seconded by _____. ___ favor, ___ opposed, ___ absent.

The minutes were approved by the Board.

Transcribed by: Melinda France, Office Manager. Meetings are recorded and available at www.ucrra.org/about-us/board-of-directors-meetings-minutes/.

Signatures:

Katherine Beinkafner, Chair

Ken Gilligan, Secretary

Melinda France, Office Manager