

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
REGULAR BOARD MEETING MINUTES
SEPTEMBER 28, 2023**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on September 28, 2023.

The proceedings were convened at 5:33 PM. This meeting was held at the Agency's Main Office, 999 Flatbush Road, Kingston, NY.

Board members present: Chair Andrew Ghiorse, Vice Chair James Gordon, Treasurer Regis Obijiski, Member Donna Egan (arrived 5:34 PM) and Member David Gilmour.

Staff present: Counsel/Secretary Kenneth Gilligan, Director of Finance and Administration Tim DeGraff, and Office Manager Melinda France.

From the public: Reporter Bill Kemble from the Daily Freeman; Manna Jo Greene, Ulster County Legislator, Kevin Roberts, Ulster County Legislator and Anna Roppolo.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT- No comment was made at the beginning of the meeting. Please see public comments made after "Communications & Announcements".

CHAIR'S COMMENTS – Andrew Ghiorse commented about a statement made by the Supervisor of Rochester during public comment at the Legislative Meeting the prior week. Andrew Ghiorse stated that he reviewed the minutes and confirmed that the election of James Gordon as Vice Chair was correct.

APPROVAL OF MINUTES

David Gilmour motioned to approve the minutes of the September 21, 2023, Public Hearing and Special Meeting and it was seconded by James Gordon. 5 in favor, 0 absent.

David Gilmour asked that the vote for the August 22, 2023, Regular Board Meeting Minutes be held until the next meeting, and it was seconded by James Gordon. 5 in favor, 0 absent.

COMMUNICATIONS & ANNOUNCEMENTS

- Regular Board Meeting is scheduled for Thursday, October 26, 2023, at 5:30 PM

PUBLIC COMMENT (Recording 4:25-13:57)

Kevin Roberts, Ulster County Legislative questions, comments, and points made:

- Asked if the Agency was planning on doing a Feasibility Study
- Asked if moving forward on a Feasibility Study that the Agency speak to all the stakeholders, supervisors, regional partners (Dutchess, Orange, Sullivan and Greene)

- Requested that the Agency review other options, other than landfills (waste-to-energy or incineration)

Manna Jo Greene, Ulster County Legislative questions, comments, and points made:

- Sent Tim DeGraff the PowerPoint presentation on maximum waste diversion which could help site a landfill
- Requested that Tim DeGraff provide the PowerPoint presentation to the Board
- Local self-reliance is important
- Reuse Innovation Center (RIC) report has been revised and was circulated
- Would like to see Ulster County get to an 80% diversion rate
- RIC will be essential to reach the 80% diversion rate
- RIC report is focused on a business model
- Will reach businesses that are already recycling and doing diversion like C&D and mattresses
- Supports the Board moving forward with the Feasibility Study regarding a landfill. She stated it has to be the best it can be and should view all different elements.
- Believes that the County is big enough to manage its own waste within its own borders

David Gilmour, asked Manna Jo Greene if there was a timeframe for public comment on the RIC document and if there were any public outreach involvement programs by the Legislature to publicize this and obtain comments from the general public.

Manna Jo Greene, responded that their intention is to get the key stakeholders to make comments before it is released to the public. The legislature will hold a public meeting regarding the RIC. Manna Jo Greene, continued to state, that there will be a meeting to discuss and focus on who will run the RIC, how a feasibility study is going to proceed and get everyone speaking to each other and listening for solutions. She stated that some of these questions have not been answered because there has been a lot of focus on the Agency.

GENERAL REPORTS PRESENTED BY TIM DEGRAFF, DIRECTOR OF FINANCE AND ADMINISTRATION (Recording 14:00-19:29)

August MSW Tonnage Report (Recording 14:00-14:44)

MSW/C&D:

Target Tons	Actual Tonnage in	Difference
15,589	14,084	Actual Tonnage was short 1,505 tons from the targeted tons

Year-to-date MSW/C&D

Target Tons	Actual Tonnage in	Difference
97,688	94,741	3% off the budgeted tons

Tim stated that if the 3% was applied to the rest of the year, that would bring MSW/C&D tonnage to approximately 141,000 tons which equates to a potential deficit of \$200,000; just on volume.

SLUDGE:

Target Tons	Actual Tonnage in	Difference
254	256	2 tons over targeted tons

Year-to-date SLUDGE

Target Tons	Actual Tonnage in	Difference
2,086	2,103	17 tons over targeted tons

August Recycling Tonnage Report (Recording 14:45-16:00)

Tim stated that there was nothing major to report. He stated August was consistent to the rest of year. He noted that the Agency is permitted for 5,000 tons of food waste. Food waste tonnage for the month was at 3,790.57 tons. If the Agency gets close to permitted food waste, they would contact the NYSDEC. The law has shown no impact on food waste. 70% of the food waste comes from Organix.

MRF Cost Center Analysis (Recording 16:02-18:04)

Tim DeGraff stated the total sale of recyclables was \$27,467 for the month of August. Transportation and Disposal Costs were \$6,310. Net revenue was \$21,157. Total Personnel/Operating Expenses were \$37,621. Net Loss of \$16,464. Year to date there is a net loss of \$213,944.

Tim DeGraff went over the Recycling Market Trend Report and explained the graphs.

August Treasurer’s Report (Recording 18:06-19:29)

Total Revenues were \$1,834,538. No Revenue or Expense Line items to note. Total Operating Expenses were \$1,520,955. For the month of August the Net Operating Revenues were \$313,583. Surplus is at \$313,583. Year to date there is a deficit of \$547,513.

James Gordon made a motion to approve the August Treasurer’s Report and it was seconded by Donna Egan. 5 in favor, 0 opposed, 0 absent.

Regis Obijiski added that he looked at the close out of July; 50% of the year. He believed that the revenue was overestimated which looked like a shortfall. Once matched with expenses, it looked fine and matches earlier performance. He reviewed the 2022 audited financial statements, and he was pleased to not a very important index of an organization’s financial health, the ratio of current assets to current liabilities. A ratio of 1to 1 indicates a break-even position. A ratio of 2 to1 indicates that the Agency has double the cash or cash equivalents that it needs to meet its current financial obligations. At the end of 2022, the Agency’s current ratio was 3.7 to 1—a reasonably healthy margin. This margin is sometimes referred to as a cumulative

fund balance or cumulative reserve balance or cumulative surplus. Regis indicated that it would be helpful if the budget reports showed an estimated year-to-date reserve balance. He also indicated that Tim DeGraff's reports are excellent and that he does a terrific job with all his responsibilities. (Recording 19:30-23:39)

ADMINISTRATIVE MATTERS (Recording 23:40-33:25)

- **Resolution # 2599-Authorizing and Approving the Purchase of a Caterpillar Skid Steer Loader and Caterpillar Excavator**

The Board and staff discussed Resolution #2599. Discussion points made:

- The equipment is being purchased off of Sourcewell and is being piggybacked off of contract
- Was unhappy with customer service with Volvo
- Excavator/grapple will come with weighing capability
- Trade-in for the skid steer
- Can negotiate the trade-in value
- Five-to-six-month turnaround time for skid steer
- Eight month turnaround time for excavator
- HO Penn will provide training
- Possibly purchase bio-diesel equipment in future

David Gilmour made a motion to **amend Resolution #2599 -Authorizing and Approving the Purchase of a Caterpillar Skid Steer Loader and Caterpillar Excavator** to add "model year 2023 or 2024" in the first paragraph, James Gordon moved the motion, and it was seconded by Andrew Ghiorse. 5 in favor, 0 opposed, 0 absent.

David Gilmour moved the amended **Resolution #2599 -Authorizing and Approving the Purchase of a Caterpillar Skid Steer Loader and Caterpillar Excavator** and it was seconded by James Gordon. 5 in favor, 0 opposed, 0 absent.

OLD BUSINESS (Recording 33:27-)

- **Ulster County Fair's Food Waste-no charge (Recording 33:27-34:56)**-The Board agreed to supersede the Agency's Purchase Policy and that the charge for Food Waste from the Ulster County's Fair (approx. \$10) would be a donation.
- **Landfill Study (Recording 34:57-55:40)** -The Board discussed the landfill feasibility study, the HydroQuest report and steps moving forward. The Board felt that the discussion should be postponed until the next meeting.
- **Reuse Innovation Center (Recording 55:41-59:31)**-Tim DeGraff advised that he had a meeting with Interim Director, Europa McGovern from the Ulster County Department of Environment who advised that he would receive a copy of the draft RIC report to review. UC Department of Environment would like the Agency to provide comments. Once Tim

receives the draft copy of the RIC he will forward the report to the Board. This topic was postponed for further discussion until the next meeting.

NEW BUSINESS (Recording 1:00:10-1:09:05)

- **Live Streaming of Meetings**-Tim DeGraff and Melinda France met with a company (same company that UC Legislature uses) regarding live streaming meetings. Public Authorities Office requires the Agency to live stream the meetings. Tim DeGraff stated that it will cost about \$18,000/year. Tim DeGraff explained what was included in the service from the company they met with, what the Agency had tried and problems they had with trying to live stream in house. The Board asked Tim and Melinda to continue to search for other options. The Board believed that \$18,000/year was too much.
- **Audit RFP**-Tim DeGraff explained that the auditors, Teal Becker and Chiarmonte, are short staffed and will no longer be the auditors for the Agency. Tim DeGraff and Melinda France placed a Request for Proposal for auditors on the Empire State Purchasing Group. The request is open until October 20, 2023 and once received Tim will forward proposal to the Audit Committee.

EXECUTIVE SESSION

James Gordon made a motion to **enter** Executive Session at 6:44 PM for “Employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation” and it was seconded by Regis Obijiski. 5 in favor, 0 opposed, 0 absent.

Bill Kemble stated that the Board needed to be more specific on why they were going into Executive Session and it should be more than a mirror citation of law. Ken Gilligan responded that “employment history of a particular person, matters leading to appointment of employment of that person”.

James Gordon made a motion to **exit** Executive Session at 8:56 PM and it was seconded by Donna Egan. 5 in favor, 0 opposed, 0 absent.

After deliberation in Executive Session, the Board decided to hire a new Interim Executive Director to start Monday, October 2, 2023. James Gordon would prepare a press release on behalf of the Board announcing the Board’s decision. The Board agreed that Tim DeGraff, Acting Executive Director/Director of Administration and Finance will work closely with the Interim Executive Director. The Board will provide Tim with retro-pay from August 23, 2023, until a new Executive Director is appointed. His pay will increase to the previous Executive Director’s salary.

ADJOURN

Motion to adjourn the September 28, 2023, Regular Board Meeting at 8:59PM was made by James Gordon and seconded by Donna Egan. 5 in favor, 0 opposed, 0 absent.

October 26, 2023

Motion to approve the above transcribed Minutes of the September 28, 2023, Regular Board Meeting was made by _____, seconded by _____. in favor, 0 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:

Andrew Ghiorse, Chair

Ken Gilligan, Secretary

DRAFT