

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
REGULAR BOARD MEETING MINUTES
OCTOBER 30, 2023**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on October 30, 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 5:45 PM) and Member David Gilmour.

Staff present: Counsel/Secretary Kenneth Gilligan, Interim Director Anna Roppolo; Director of Finance and Administration Tim DeGraff, Director of Sustainability Angelina Brandt, and Office Manager Melinda France.

From the public: Reporter Bill Kemble from the Daily Freeman; Joe Maloney, Ulster County Legislator, and Supervisor Mike Badden of the Town of Rochester.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT: Reporter Bill Kemble noted that the motion to go into Executive Session is the same "cut and paste" as last month. Ken Gilligan, Esq. clarified that the Board and Staff will go into Executive Session for the reason of "employment history of particular employee, corporation or prospective employee and for discussion of pending litigation. Reporter Kemble asked if the litigation was something the Agency was bringing, considering bringing, or was there threat of litigation to the Agency. Ken Gilligan responded that the litigation is no longer pending but might be revised. This is not by the Agency.

CHAIR'S COMMENTS – no comments were made.

APPROVAL OF MINUTES

David Gilmour made two corrections to the August 22, 2023, Regular Board Meeting Minutes.

- On page one, "**Approval of Minutes**" the date should be July 27, 2023, not August 22, 2023.
- Page four under "**Executive Director Update**" added a bullet point under the mattress pilot recycling program update stating "will continue discussion points with New York State DEC"

David Gilmour made a motion to approve the amended Minutes of August 22, 2023, Regular Board Meeting and it was seconded by Regis Obijiski. 4 in favor, 1 absent (Egan).

David Gilmour made a motion to approve the Minutes of September 28, 2023, Regular Board Meeting, and it was seconded by James Gordon. 4 in favor, 1 absent (Egan).

COMMUNICATIONS & ANNOUNCEMENTS

- Audit Committee Meeting is scheduled for November 1, 2023, at 6:00 PM at the Main Office
- Governance Committee Meeting is scheduled for November 14, 2023. Location of this meeting TBD
- Regular Board Meeting is scheduled for Thursday, November 30, 2023, at 5:30 PM at the Main Office

EXECUTIVE DIRECTOR UPDATE (Recoding 8:50-1:21:09)

Anna Roppolo's update included the following points, recommendations, comments, and discussion:

- Attended the Energy and Environmental Committee meeting on October 5th with the Chairman, and Tim DeGraff, Director of Finance and Administration
 - Was asked by the EEC to coordinate a trip to Rockland County Solid Waste Management Authority with interested legislators
 - Board Members were invited to attend as well
 - Discussion with Legislator Stewart about potential synergies between the agency, BOCES and Legislator Stewart's green school initiative.
 - Would like to pursue, with education staff, a potential partnership with BOCES and Ulster legislators and include UCRRA initiatives as well as legislative initiatives
 - Possibly include UCCRA's recycling ranger program which may be able to dovetail into other green school initiatives.
- Attended a zoom meeting with Tim DeGraff with Sustainable Hudson Valley on October 17th.
 - This meeting was requested after speaking with representatives at the October 5th Environmental & Energy committee.
 - SHV were appreciative of the Agency's feedback, comments, and questions.
 - Submitted the questions/comments that were discussed to SHV via email and are awaiting their response.
- Begun reviewing the county contract and asked Ken Gilligan several clarification questions. After clarification, recommendations for a new contract with the county will be provided.
- On October 12th, visited seven municipal recycling drop off centers (MRDCs) with Charlie Whittaker, Director of Operations and Compliance.
 - Asked to visit the sites
 - Internally, has discussed potential areas the agency can offer assistance to the municipalities and provide consistency among each MRDC.
 - Examples:

- Charlie Whittaker and Larry Ricci are working with Marblatown MRDC regarding a permit modification for organics collection and diversion of clean wood.
 - Angelina Brandt, Director of Sustainability, is assisting the MRDC to complete a grant for full time recycling coordinator. These initiatives may be replicated at other MRDCs if needed.
- The tip floor repair at the Ulster transfer station begun last week
 - Work is being done in house
 - The agency will have a savings by work being done in house
 - The savings will be calculated when completed
 - Will provide cost savings at next meeting
 - Repair is approximately 68' x 130'
 - Project has been approved by the NYSDEC
 - No impact on the acceptance of MSW at the facility
- Congratulated Tim DeGraff on another year of being recognized by his peers at GFOA for UCRRA's ACFR (Annual Comprehensive Financial Report).
 - This is the fifth year UCRRA's financial statement presentation has been selected for review. The GFOA award for excellence has been presented to Tim and UCRRA for the last four years.
 - An ACFR, is composed of three sections: Introductory, Financial and Statistical. The information is compiled by Tim and audited by an external American Institute of Certified Public Accountants (AICPA) certified accounting firm utilizing GASB (Governmental Accounting Standards Board) requirements.
 - There were only ten enterprise funds in all of NYS that were recognized last year; UCRRA being one (Board and Staff applauded Tim).
- A memo regarding the landfill study proposals and recommended actions were sent to the Board. The memo outlined, HydroQuest performed the preliminary step first required by the NYSDEC which asked the agency to carve out those areas in the county which would not be suitable for a landfill site
 - Including but not limited to special flood hazard areas, endangered species, wetlands, bedrock, agricultural land, primary water supplies, aquifers, aircraft safety, unstable areas, unmonitorable areas, fault areas, seismic impact zones
 - The second step of preliminary siting is a determination of willingness of host site, ease of ingress and egress to site with regard to vehicle and truck traffic, local area with regard to proximity to local neighbors, etc.
 - The analysis provided by HydroQuest produced two preliminary sites
 - The landfill study proposals have duplicative efforts with regards to the important first step which has already been performed by HydroQuest.
 - Recommended revising the scope of work of the landfill study proposals to include a confirmation of the findings of the HydroQuest study already performed. If there is a concurrence of the findings, the remainder of the scope of work is moot.
 - Reclamation of landfills requires participation from the landfill. Recommended UCRRA confirms participation from towns willing to engage in reclamation and ask the specific scope of work be for those towns.

- A memo regarding the executive director's ad and recommended steps for interviewing and scoring the candidates was provided to the Board. Recommended the agency does recruitment and advertising versus hiring a recruiting agency. A recruiting agency could cost between \$18,500 to \$33,000. Asked the Board for direction on proceeding.
- Mattress Recycling:
 - Legislation related to mattress recycling has passed the state senate and an Assembly bill is in committee according to the NYS website.
 - Suggested that Ulster County could work with legislators to assist in getting this legislation to pass. This would force mattress companies to deal with the end of life of their product. Similar to the EPR (Extended Producers Responsibility) programs like for paint and electronics.

Donna Egan asked how this will affect the Agency moving forward with a mattress recycling program. Anna responded that she looked at two companies (Long Island and NYC) and both companies will not come to Ulster County. Anna stated she also reached out to a company in Buffalo that was taken over by Casella. They stated they will not come to Ulster County. The company that the previous Executive Director made arrangements with was bought out by Casella.

The Board and staff had a discussion on the following:

- Tour to Rockland County
 - Who is interested in going
 - Why the Agency is going
 - Videos are available of the Rockland facilities if unable to attend
- Mattress Recycling
 - Thought there was a plan
 - Moving forward on the mattress recycling program
 - Engineers were hired to review the plan and resources were spent
 - This was asked for over a year ago; some Board members were upset that there is a setback on moving forward
 - Vendors
 - How mattresses are recycled in NYS
 - Costs
- Executive Director Search
 - Narrative that was provided by Anna
 - Regarding the ad, Regis asked to add on page 1, paragraph 3 to add "County Officials" to the sentence after the words "work in partnership with"
 - David felt the Executive Director promotional document was long
 - Using a search firm
 - Using all channels for advertising
 - Cost
 - Agency doing own search first
 - Advertising with trade organization, newspapers, Indeed, and other local avenues
 - Qualifications that the Board is looking for in a candidate
 - 2 month timeframe to receive responses

- David requested that periodically receive reports that shows where the Agency's promotional material is being shared to
- Budget for advertising would be \$2,000
- Landfill Feasibility Study discussion included the following:
 - Siting a landfill
 - HydroQuest report
 - Reclamation of town landfills
 - Next steps on how to proceed
 - Contact HydroQuest to confirm what was found
 - Contact HydroQuest to receive a copy of the GIS and to see if they will share their data
 - Possibly working with a consultant to see if there are other locations and regionalization
 - Possible funding from NYSERDA or other funding sources
 - Contact the two engineering firms and confirm and see if there are additional sites, and regarding reclamation
 - Confirm the scope of work and cost with the two engineering firms
 - Environmental Justice Areas
 - Managing the oversight of the engineers working on the landfill feasibility study
 - Various options
- RIC Study
 - Timeframe
 - Business Plan would need to be prepared
 - Anna Roppolo and Tim DeGraff had a conversation with SHV and David Bennink. They all recognized that there is a need to include more of financial aspects in the report
 - Being fair to all Ulster County residents
 - Agency's involvement/role

Joe Maloney, Ulster County Legislator was asked to provide input regarding the RIC study. His comments and points made included the following:

- The company that prepared the study and most of the studies done were about empowering municipalities to work with the private sector
- They are still in discussion regarding the responsibilities of RIC
 - In discussion regarding;
 - Responsibilities
 - Something the legislature will start and help fund and handed off to the RRA
 - Part of the DEP
- Looking at a centralize location and feel that it should be at the RRA
- Still not sure who will oversee the RIC but everyone will need to work together

The Board had a brief discussion of the Compliance position.

***GENERAL REPORTS**-Due to the interest of time, David Gilmour motioned to approve acknowledgement of the MSW Tonnage, Recycling Tonnage and MRF Cost Center Analysis Report and James Gordon seconded the motion.

Donna Egan asked Angelina Brandt to mention her highlights from her report instead of reading her whole report.

RECYCLING PROGRAM UPDATE (Recording 1:24:23-1:26:30)

Angelina Brandt, Director of Sustainability provided the highlights for the month. The highlights included:

- Participated in 12 special events and classes including the HHW collection event
 - This month reached 500 adults and 500 youth
- Grants status update
 - 4 state grants in the active contracting phase, totaling \$287,199.78
 - The Agency has 5 projects that are now on the DEC's funding waiting list totaling \$ 770,560.48 which is likely to be received in disbursements within 1-5 years. Some of these projects date back to 2017.
 - Currently applying for \$153,262
 - \$153,262 for 2024 education/coordination project

Andrew Ghiorse stated that Angelina and Tanesia do a terrific job and it is appreciated.

David Gilmour would like to promote the Interim Executive Director to consider working with the recycling department to the review the RIC.

GENERAL REPORTS PRESENTED BY TIM DEGRAFF, DIRECTOR OF FINANCE AND ADMINISTRATION (Recording 1:26:31-) *Please see note above regarding General Reports.

September MSW Tonnage Report

Tim noted that last month, he mentioned that last, year to date the tonnage, was off by 3% and it continues to be off by 3%.

September Treasurer's Report

Regis Obijiski made a motion to approve the September Treasurer's Report and it was seconded by James Gordon. 5 in favor, 0 opposed, 0 absent.

There was a five-minute recess.

ADMINISTRATIVE MATTERS

- **Resolution # 2600 Re: Approving 2024 Final Agency Budget (Recording 1:29:48-1:51:36)**

The Board and staff discussed Resolution # 2600, the tipping fee, fund balance and debt service fee. Tim DeGraff explained his two budgets and how he came up with his numbers. Some of the Board members felt there should be a reserve.

Andrew Ghiorse supports Regis Obijiski, Chair of the Finance Committee and Tim DeGraff, Director of Finance and Administration recommendation of the \$115/ton.

Jim Gordon moved to approve **Resolution #2600 Re: Approving 2024 Final Agency Budget** with a tipping fee of \$115/ton, and it was seconded by Andrew Ghiorse. 3 in favor, 2 opposed (GILMOUR/EGAN) and 0 absent.

- **Resolution # 2601 Re: Approving the 2024 Final Agency Capital Plan** (Recording 1:52:00-1:55:00)

There was a brief discussion regarding the Capital Plan, an energy audit, and future capital planning. Tim DeGraff discussed his actual Capital Plan and his proposed alternate Capital Plan.

Jim Gordon moved to approve **Resolution #2601 Re: Approving the 2024 Final Agency Capital Plan** and it was seconded by Regis Obijiski. 5 in favor, 0 opposed and 0 absent.

- **Resolution # 2602 Re: Approving the Fee Schedule for 2024 Tipping Fees and Other Charges** (Recording 1:55:03-1:59:00)

There was a discussion regarding the tipping fee, tarp fees and mattress fees. The Board asked how many tarp fees are charged per month and if there was a log of customers who are charged a tarp fee. Tim DeGraff didn't have the exact number of customers charged without a tarp.

Regis Obijiski moved to approve **Resolution #2602 Re: Approving the Fee Schedule for 2024 Tipping Fees and Other Charges** and it was seconded by Andrew Ghiorse. 4 in favor, 1 opposed (EGAN) and 0 absent.

- **Resolution # 2603 Re: Authorizing and Approving the Appointment of Interim Executive Director** (Recording 1:59:11-2:00:23)

David Gilmour moved to approve **Resolution # 2603 Re: Authorizing and Approving the Appointment of Interim Executive Director**, and it was seconded by Jim Gordon. 5 in favor, 0 opposed and 0 absent.

OLD BUSINESS (Recording 2:00:36-2:01:56)

David Gilmour asked for an update regarding the auditors. Tim DeGraff, Director of Finance and Administration advised that he received three proposals and that the Audit Committee will be reviewing them on November 1, 2023, at the Audit Committee Meeting.

NEW BUSINESS (Recording 2:01:57-2:18:06)

Jim Gordon passed out “Practical Notes on Transforming Ulster County’s Waste System into a Resource Recovery System” dated May 2, 2022. This was prepared by the previous board members. He asked the board members to review this document and it will be discussed at the next meeting.

➤ Ulster County Resolution #549**Discussion and points made:**

- This has not received the final signature
- This resolution first came out in September
- Minor wording changed from the original document (naming the Mayors/Supervisors)
- Andrew Ghiorse nominated himself as part of the Committee
- Jim Gordon believed he had more experience than Andrew Ghiorse and should be on the Committee
- Andrew disagreed with James Gordon’s comment
- Term of the appointee

Joseph Maloney, Ulster County Legislature added to the conversation regarding Ulster County Resolution #549

- Under his impression, the Executive has made her appointment
- It was anonymous vote and it being vetoed is unlikely
- Goes in effect 30 days after she signs it
- He believes, she appointed Amand Lavallo, Deputy Executive
- This will be done prior to the new year
- Appointment for the Committee are: The Executive appointment, Controller appointment, RRA Chair, Supervisors Association Chair or designee
- Legislature is very motivated
- Some items that the Committee will work on, is the Contract, and the RRA’s Board structure
- Anyone can attend these meetings

Supervisor Mike Badden asked for confirmation of the pull charge. Tim DeGraff stated that it will stay the same.

EXECUTIVE SESSION

Donna Egan made a motion to enter Executive Session at 7:54 PM for employment history of a particular person or corporation, or prospective employee and discussion of litigation pending and it was seconded by James Gordon. 5 in favor, 0 opposed, 0 absent.

James Gordon made a motion to exit the Executive Session at 8:33 PM and it was seconded by Regis Obijiski. 5 in favor, 0 opposed, 0 absent.

ADJOURN

Motion to adjourn the October 30, 2023, Regular Board Meeting at 8:33 PM was made by James Gordon and seconded by Donna Egan. 5 in favor, 0 opposed, 0 absent

November 30, 2023

Motion to approve the above transcribed Minutes of the October 30, 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