

**ULSTER COUNTY RESOURCE RECOVERY AGENCY**

**RESOLUTION NO. 2613**

**RE: Approval of a Rules of Conduct Policy**

**WHEREAS**, The Ulster County Resource Recovery Agency (the "Agency") is engaged in Solid Waste Management and Recycling in Ulster County, and

**WHEREAS**, the Agency Governance Committee has reviewed the Agency's Rules of Conduct Policy which was approved by the Board by Resolution dated April 28, 2022, and

**WHEREAS**, the Agency Governance Committee recommends the approval of a new set of Rules of Conduct Policy as set forth in the proposed attached Exhibit and made a part hereof,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Ulster County Resource Recovery Agency does hereby approve the updated Rules of Conduct Policy attached hereto and made a part hereof, and be it,

**FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Vote: Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Date: March 28, 2024

Financial impact \$ 0.00

**UCRRA**  
**Rules of Conduct Policy**

***This policy is intended to be applicable to all visitors, customers, employees, contractors and licensees of the Agency.***

**Purpose**

Ulster County Resource Recovery Agency (UCRRA) facilities should be welcoming and safe for everyone, whether they are visitors, customers, employees, or contractors. This policy has been created to establish boundaries for how everyone entering our site shall conduct themselves to ensure the safety and comfort of all. At all times, the Agency must provide an atmosphere free of harassment, intimidation, or any abuse, be it physical, political, psychological or sexual. Employees, visitors, vendors, and customers must be assured they are in a safe environment, such that the Agency can provide high quality services at all times to all Ulster County residents and businesses for the safe removal municipal solid waste and construction debris, and for the recycling of postconsumer materials. This policy sets forth the behaviors on the part of employees, visitors, vendors, and customers that enable such safe environment to be established.

**Management Rights**

Except as specifically and lawfully abridged, or modified by the Board of Directors or law, the Agency retains the right to manage its business affairs and services and to direct the workforce, including the right of its business and service operations to be conducted and rendered; the control and conditions of its buildings and equipment, along with all employees which may be used in the operation of its business or supplying its services; to maintain order and efficiency in all departments and operations including the right to discipline, hire, suspend and discharge employees; to hire layoff, assign, promote and determine if any policies were violated, to disallow, suspend, and if needed permanently remove all services.

**Definitions**

*UCRRA Owned or Leased Property* means the 999 Flatbush Road, Kingston and 1 Clearwater Rd, New Paltz, and any facility designated by UCRRA.

*Loitering* means to remain at a location for more than 10 minutes for purposes other than the disposal or unloading of solid waste or recyclables, or the purchase of compost, or participation in Agency-led educational activities and visits to the UCRRA site.

*Motor Vehicle* is defined as any self-propelled conveyance including, without limitation, automobile, pickup truck, semi-truck, box-truck, or other self-propelled or motorized piece of equipment.

*Infraction* means a violation of any policy established by the UCRRA Board of Directors and staff. **A FILE** will be created stating the date of infraction, place of incident, name of violator, rule violated, and providing a brief description of the circumstances underlying the Infraction, All person/persons will be kept confidential and at the discretion of the Executive Director.

*Person* is defined as any visitor, customer, employee, contractor, or licensee to any UCRRA-owned or leased property.

*Policy* is a course or principle of action adopted or proposed by a government, party, business, or individual.

*Scavenging* means the removal by unauthorized personnel of materials from the solid waste stream at waste handling areas of a solid waste disposal facility or solid waste transfer facility.

*Suspension* means being temporarily or permanently barred from entering upon any UCRRA-owned or leased property.

*Transfer Stations* are those solid waste transfer stations operated by UCRRA located at 999 Flatbush Road, Kingston, and 1 Clearwater Rd, New Paltz, and such other locations as designated by UCRRA.

*Warning* is a notice, in verbal or written form, issued by UCRRA indicating to the violator that a Rule has been violated by the recipient.

### **Rules of Conduct**

The following Rules shall apply to all persons (other than UCRRA-staff) who are moving on, in, or about any portion of UCRRA-owned or leased property.

- Obey 5-10 MPH speed limit at all times.
- Adhere to all public health and safety laws.
- No illegal or hazardous materials may be disposed.
- All motor vehicles must be tarped when hauling any material as per NYS Law and the facilities 360 permit. All motor vehicles must be tarped when entering UCRRA facilities and at all times when on UCRRA-owned or leased property, other than the specific time when unloading materials for disposal or deposit, or loading compost.
- No littering.
- Use only designated tarping/untarping area(s).

- Follow direction(s) of UCRRA employees.
- No person shall fail to respond and act in accordance with verbal or hand directions of designated UCRRA employees.
- Stay within six (6) feet of motor vehicle at unloading zone.
- Transfer Station equipment has the right-of-way at all times.
- No bypassing another customer (line gauging) unless instructed by UCRRA or Transfer Station staff.
- Obey all posted signs, including stop signs; no violation of any posted signs.
- No Smoking (excludes employees who are given designated areas and breaks).
- No Loitering.
- No harassment or threatening behavior.
- No obscene or abusive language.
- No destruction of property.
- No unsafe conduct.
- No intoxication.
- No Public Urination.
- No failure to pay tipping fees (including bouncing checks, dumping and dashing, using a payment type that is not accepted etc.)
- No bribing staff (sandwiches, coffee, money, tickets etc.).
- No unlawful firearms.
- Non-essential vehicle traffic is prohibited.
- No scavenging any item(s) or material(s) delivered to the transfer station.
- All persons are required to remove any unwanted/ unaccepted material, as directed by UCRRA staff.

- For the safety of all, no use of cell phones, walkmans and other non-authorized audio equipment while operating any vehicle or equipment in the facility, or when unloading material. Two-way radios authorized for company business are allowed but operators must stop their vehicles to use these devices. This rule is created to avoid the dangers of distracted driving at a very busy facility that is used by large vehicles; we disallow use of audio equipment rather than requiring that people stop their vehicles to use them as having stopped vehicles is also disruptive and can be unsafe. UCRRA employee(s) must report all violations of these rules and procedures by vehicle drivers, helpers, passengers, occupants, visitors, and contractors to a supervisor. All other individuals may report violations of these rules and procedures to the Agency's main office.
- For the safety of all, unnecessary walking or standing on UCRRA-operated or leased land or in Transfer Stations by any individual is prohibited at all times. If a person enters the Transfer Station for any other reason than listed above, all activity must cease immediately and that person questioned.
- Drivers and/or helpers that are tipping or unloading must open doors as far away as possible from heavy equipment and forklifts. Drivers/helpers must not approach the rear of their vehicles unless adequate floor space exists between their vehicle and the loading pit and conveyor. A minimum distance of 10 feet between driver/helper and pit/conveyor must be maintained. No driver, helper, traffic spotter, or other individual is allowed under a raised tailgate without proper block out, t-bar or similar device.
- A minimum of 15 feet must be maintained between any persons and mobile equipment. If helpers must leave the vehicle for any reason other than to assist the driver, they will do so *before* vehicle is directed to tip/unload or *after* vehicle has tipped/unloaded and exited the tipping area.
- Drivers, passengers and/or helpers will be restricted to activities related to the tipping and/or unloading of their vehicles. It is strictly prohibited for drivers, passengers and/or helpers to be moving about anywhere throughout the tipping area(s) other than what is required for them to accomplish tipping/pick up of compost
- Customers, vendors, and visitors must stay clear of loose-swinging truck doors and equipment operators. A minimum of 15 feet of clearance space must be maintained between employees and tipping/unloading vehicles(s). After a load is tipped/unloaded, drivers will be required to pull forward, away from the "pile" outside of the Transfer Station to close and secure door(s). Tipping areas will be limited to within the confines of the transfer station and MRF. No vehicle will dump outside of the Transfer Station/MRF doors. All tipping floor personnel will be equipped with radios to communicate with company vehicles, scale operator, and supervisors.

- Passengers or helpers in self-tipping vehicles will remain in their vehicles at all times when waiting to unload or when unloading, unless engaged in assisting the driver. The designated person who exits the vehicle must stay within 6 feet of the vehicle. When closing swinging door(s), the driver or helper is to stay with the moving door until it is closed and secured. **ALL DOORS WILL BE CLOSED ON ROLL-OFF VEHICLES OUTSIDE OF THE TRANSFER STATION, CLEAR OF TRAVELED WAY.** No vehicle is to be left unattended at any time while waiting to tip/unload, during unloading or after unloading.
- Any incident resulting in property damage to UCRRA-owned or leased property, must be documented with an incident report and other supporting documentation such as photo ID, insurance information, and a police report, if applicable.
- All waste is tipped, and compost loaded, at customers' own risk, including potential for flat tires, damage, or personal injury, (ENTER AT YOUR OWN RISK).

#### **Issuance of Warnings or Notices of Infraction**

- UCRRA employees designated by UCRRA's Executive Director or Director of Operations & Compliance may issue a warning for an infraction of these rules.
- Agency employees must report all violations of this policy.
- A report of infraction shall be in written form and shall be kept on file concerning the pertinent facts of the person committing the infraction as soon as possible after the occurrence of the infraction.
- A warning may be issued in verbal or written form by the Executive Director and shall indicate the nature of the infraction, the rule violated, and will be filed at the Agency.
- A denial shall be issued by the Executive Director to any person who enters upon UCRRA-owned or leased property during the time of revocation of privileges.
- Any person denied entry or use of the facility for a violation of the Rules of Conduct Policy can request a hearing before the Board of Directors of the Agency, if said request is made in writing and within six months.

## **Administration of Penalties**

Pursuant to this policy, the Executive Director may suspend and/or place said person or persons on restriction from the Agency for violating the rules set forth in this policy.

Any infraction shall cause an investigation to be conducted into the events, facts, and circumstances.

A person may be issued any number of verbal warnings without penalty. A person may be issued a written warning and be suspended from entering upon or using the facilities of any UCRRA owned or leased property.

Prior to suspending a person or person's privileges or placing an individual/company on a list permanently banned from the property, the Executive Director shall conduct an internal review with agency counsel in which the evidence against the person shall be presented and its findings filed at the Agency's main office.

If a person has been suspended from entering UCRRA owned or leased property, such person's employer, if applicable, shall be informed of such suspension and informed of any such terms of suspension .

If a Person is found by the Executive Director to have violated a rule or to have entered upon UCRRA owned or leased property while banned from the property, that person shall be subject to the following penalties:

1. Asked to leave said property immediately .
2. Police enforcement if necessary
3. Permanent restriction from facility

Administration of penalties for infraction of the rules does not preempt or limit any applicable criminal or civil prosecution and will be enforced in addition to any civil or criminal penalty assessed by a court of law.