

**ULSTER COUNTY RESOURCE RECOVERY AGENCY
REGULAR BOARD MEETING MINUTES
APRIL 25, 2024**

The Ulster County Resource Recovery Agency held a Regular Board Meeting on April 25, 2024.

The proceedings were convened at 6:08 PM. This meeting was held at the Agency's Main Office, 999 Flatbush Road, Kingston, NY.

Board members present: Chair/Treasurer Regis Obijiski, Vice Chair James Gordon, Member Andrew Ghiorse, Member Donna Egan and Member David Gilmour.

Staff present: Counsel/Secretary Kenneth Gilligan, Executive Director Marc Rider, Director of Finance and Administration Tim DeGraff, Director of Sustainability Angelina Brandt and Office Manager Melinda France.

From the public: Manna Jo Greene, Ulster County Legislator; William Kemble, reporter of the Daily Freeman; Katherine Beinkafner; and Peter Humphries.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

- Regis Obijiski went over the guidelines regarding Public Comment. He also provided his email address for anyone who would like a topic to be addressed or discussed at a board meeting; robi@ucrra.org.

No comments were made by the public.

AGENDA

Regis Obijiski made a motion to accept the Agenda, it was moved by James Gordon and seconded by Andrew Ghiorse.

Donna Egan requested to be added to the Agenda. Donna wanted to provide an update regarding the Recycling Oversight Committee meeting she attended and speak on the topic of pharmaceuticals.

David Gilmour moved the Agenda to include Donna Egan's request and it was seconded by James Gordon. 5 in favor, 0 opposed and 0 absent.

CHAIR'S COMMENTS/POINTS

Regis stated the following:

- UCRRA’s “busy” executive director, Marc Rider, would provide an update which will include five (5) proposed resolutions.
 - One resolution is the Rules of Conduct Policy which is “unfinished business”
 - Three resolutions for personnel positions, which fall under two categories: replacements and/or new and would have no negative impact on the agency’s budget.
 - The fifth resolution pertains to heavy equipment needed to conduct the agency’s solid waste business on site.
- Director of Sustainability will provide the recycling program update
- Members of the board will move into Executive Session to discuss the board self-report card—a self-assessment of the 2023 performance, how to learn from past performance, and discuss how to improve the Board’s future performance.
- In Executive Session future employment of specific personnel relative to the resolutions under “Administrative Matters.”

Marc Rider added that no resolutions or any action would be taken after Executive Session.

COMMUNICATIONS & ANNOUNCEMENTS

Regis Obijiski asked Committee Members to provide an update:

- **Governance Committee**, James Gordon, Chair stated that he appreciated everyone’s help with the ABO evaluations. The evaluations would be discussed in executive session at the end of the meeting
- **Zero Waste Committee**, Donna Egan, Chair stated that the Zero Waste Committee meeting was held prior to the Regular Board Meeting and focused on organics.
 - **Recycling Oversight Committee Meeting**-Donna provided an update regarding the ROC meeting she attended. She stated the “hot topic” was C&D. Discussion point was deconstruction. C&D is 29.9% of the waste stream in Ulster County.
 - Donna discussed pharmaceuticals and the national “Take Back Program”. She stated the Ulster County Sheriff would like to collaborate with a program with the Agency.
- **Finance Committee**, Regis Obijiski, Chair stated the Committee met on April 15, 2024, at 6PM. He stated the following:
 - Topic of this meeting was “UCRRA investments and investment policy.”
 - The agency’s independent audit firm, EFPR, determined that the agency’s investments were compliant with applicable State Laws and that the agency is compliant in all material respects.
 - The Committee examined the 2023 investment activity and determined that there was minimized risk, ensured a competitive rate of return, and that the Agency will be able to pay off the bond by March 2025.
 - The Committee voted to retain the current investment policy as is and will review it again at the UCRRA Reorganization Board Meeting in January 2025, and which is required by NY Authorities Budget Office law.
 - The next Finance Committee will be scheduled after Committee Members and staff review their schedules.

APPROVAL OF MINUTES

James Gordon made a motion to approve the Minutes of March 28, 2024, and David Gilmour seconded the motion.

David Gilmour made recommendations for several changes to the Minutes. The following changes were requested:

- Page 1 under **AGENDA** Gordon needs to be changed to Gilmour
- Page 2 at the top; bullet point 4 needed to remove the word “alternative” and add “waste processing” in front of technologies
- First paragraph of page 2, above **PUBLIC COMMENT**, third sentence, add Countywide before *by 2030*. Sentence should read: *She reiterated zero organic waste Countywide by 2030.*

Donna Egan made a motion to accept the minutes with corrections and Andrew Ghiorse seconded it. 5 in favor, 0 opposed and 0 absent.

EXECUTIVE DIRECTOR UPDATE (Recording 18:50-40:13)

Marc Rider’s update included the following:

- **Meet with Stakeholders**
 - Ulster County Town Supervisors Association
 - Attended their monthly meeting.
 - Discussed items such as: how the Agency can help at MRDCs, setting up 1:1 meetings; possible grant opportunity for EV haulers for interested municipalities, and the landfill study.
 - Sustainable Hudson Valley (SHV)
 - Met last week
 - Discussed the Reuse Innovation Center report
 - He learned a lot from SHV about the model of the facility and how they ran
 - It was modeled after a program in Bellingham, Washington
 - He believed the spoke and hub system is good, but the hub would need to have more of a physical hub
 - Discussed who should run the RIC-Marc believed the Agency may not be the best option, should it be the county, or the private sector
 - He felt the meeting was helpful
 - Also discussed other ways of partnering with SHV in the future
 - Director of UC Economic Development Kevin Lynch
 - Discussed on ways to recruit businesses that do waste diversion and other ways to partner on the mandate by County Executive Metzger’s regarding organic diversion by 2030.
 - Minority Leader Kevin Roberts

- Discussed a resolution Kevin plans on introducing which would create a twenty-four-hour recycling center in Ulster County
 - Would be modeled from a facility in Florida
 - Marc does not envision it being run by the Agency or located on Agency property
 - This would be an unattended center
 - Marc stated that Kevin Roberts believed it works well and would increase the ease of recycling
 - Resolution has not been put in at this time
 - RRA Reform Commission
 - Continues to attend all meetings of this commission
 - RRA Reform Commission asked for 30-day extension
 - James Gordon voted against the extension
 - Focus was on governance
 - UC Legislature Energy and Environment Committee
 - Attended these meeting and provide an update each month
 - Provides the various reports that the Board receives to the Committee
- **Cornerstone Reports**
 - Task three should be complete in the next 4-6 weeks
 - A draft report will be shared with the Board in June
- **Leachate Collection**
 - Leachate collection is up and very high
 - Next month will be putting out an RFP for engineering services
 - Will request a contract at the next meeting in May
 - Large percentage is ground water
 - If the Agency does the testing, the Town of Ulster would add the leachate to their wastewater treatment
 - David Gilmour stated that strong alternatives analysis could benefit such study and recommended that often times leachate management involves pumping and use of electricity and energy and recommended an energy analysis within the study
 - Marc Rider responded that the Agency has to pump at Ulster but not sure about the pond in New Paltz
 - Tim DeGraff stated there are contingency accounts to cover capital costs which could possibly include a study
- **Alternative Technology Options**
 - He is continuing to do research
 - Spoke to several companies
 - Believed it to be most prudent to include a section in the RFP for disposal and transportation for alternative technologies
 - Discussed keeping the RFP broad
- **Position Restructuring**
 - Requested approval of three personnel related resolutions
 - Full-Time Attorney
 - Administrative Assistant for the Recycling Department
 - Coordinator of Organizational Performance

- Recycling Compliance Officer
- **Agency Vehicles**
 - Did a NYS Mini bid for small PHEV SUV
 - Received one bid for a Kia Niro for \$36,000
 - This vehicle would be for his use
 - It was a 2024 budgeted item
 - There are two other vehicles used by administrative staff-Ford Fusion and Toyota Pruis
 - They are close to end of their useful life
 - After discussion with staff, Agency will need a mid-size SUV for the Recycling Outreach Team
 - Will do another mini-bid for PHEV mid-size SUV
 - Ford Fusion will be used by the Agency's Recycling Compliance Officer
 - Admin staff will use Toyota Pruis for short distances
 - Vehicles are safe and maintained
 - It has been budgeted for two vehicles and charging stations
- **Local Solid Waste Management Plan**
 - Deadline was originally May 1st
 - DEC gave an extension indefinite-Agency didn't request the extension
 - Still working on finishing updates
 - Board will have the opportunity to discuss the biennial updates

James Gordon commended Marc Rider for his written reports, which he appreciated, and stated that Marc is doing a great job.

RECYCLING PROGRAM UPDATE (Recording 40:15-46:03)

Angelina Brandt, Director of Sustainability update included the following points:

- Advertising campaign for the month was focused on the Compost Bin and Rain Barrel Sale
 - Promoted the sale on social media, radio, print, and digital advertising
 - Recent programs focused on composting. CCE Garden Day, New Paltz Earth Day, Plattekill Earth Day, and various youth programs.
- 361 adults and 72 youth have been reached this month
- Bagged compost sales peaked on Earth Day, with 314 bags sold. The Agency partnered with Soil & Water Conservation District and provided native trees and flowering shrub saplings to residents who purchased compost or delivered e-waste.
- HHW program is scheduled for this Saturday
 - This event can accommodate 300 residents
 - Late to open registration due to unexpected delays from DEC
- Created a new flyer, for The Coolest Recycling Drive program, a series of free recycling events for refrigerant containing devices
 - Information is available on the website
 - Angelina also provided the Board with the flyer regarding the event
- Attended the NYS Organic Summit in Buffalo

- She prepared notes from the conference; which will be forward to all Board members
- Compost is under 800 tons for availability; there are approximately 800 yards that need to be screened

PUBLIC COMMENT: Katherine Beinkafner wanted to state that she and the Highland Library are looking forward to Angelina's compost presentation at the library.

GENERAL REPORTS (Recording 46:06-56:06)

➤ **MSW Tonnage Report, Recycling Tonnage Report and MRF Cost Center Analysis**

Tim DeGraff asked if anyone had any questions regarding the MSW Tonnage Report, Recycling Tonnage Report or MRF Cost Cener Analysis provided in the Board packet. He stated he will cover all the numbers in his Treasurer's Report highlights. No questions were asked at that time.

Treasurer's Report highlights:

Tonnages for the first three months

- MSW/C&D tonnages were less than budgeted by 4.9%; on pace to hit April's tonnage target
- MSW/C&D tonnages were less than the prior year by 1,366 tons, or 4.3%; on pace in April to exceed the prior year's April by approximately 700 tons
- Revenues and expenses that are impacted by volume, correlated with volume

Revenue

- Compost related sales/tipping fees increased from the prior year by \$14,078, or 31.6%; we have sold 400 more tons than the prior year's first quarter and also screened 400 more tons
- Fuel Surcharge impacted by lower volume and lower fuel prices
- Recycling markets for fibers were up in the first quarter compared to the prior year
- Increase in interest revenue (Misc. Revenues); approximately \$10k per month
- Total revenue was lower than budgeted due to volume
- Total revenues for the first quarter are under budget by an estimated 2.5%

Expenditures

- Personnel costs for the first quarter increased from the prior year but are on budget
- Administration expense variances related to engineering costs
- Transfer stations costs increased due to the major repair of the Ulster floor
- Fuel costs for hauling impacted by lower volume
- Leachate costs increased because leachate volume increased. We have consumed 61% of this budget line

- Total expense for the first quarter is over budget due to some unexpected costs related to leachate, compost operational repairs, and UTS floor repairs. The compost and UTS floor repairs will mainly be isolated to the first quarter. Estimation of annualized expenses puts us 5.6% over budget.

Surplus/(Deficit)

- First quarter net operating revenues were \$89,600 (excluding debt service pymt. and no capital purchases). Down \$339,398 from the prior year. This is due to a combination of lower-than-expected volume and some unexpected expenses.

Regis Obijiski pointed out that approximately \$1.7 million-dollar debt service payment (last payment) was made in February. He continued to point out the bottom numbers in the report and discussed them briefly.

David Gilmour motioned to approve the Treasurer's Report and James Gordon seconded the motion. 5 in favor, 0 opposed, 0 absent

ADMINISTRATIVE MATTERS (Recording 56:07-1:35:44)

- **Resolution # 2613 Re: Approval of a Rules of Conduct Policy**

Marc Rider requested that this resolution be TABLED one more month until the revisions of the By-Laws were done.

David Gilmour made a motion to TABLE **Resolution #2613 Re: Approval of Rules of Conduct Policy** for one month and it was seconded by Andrew Ghiorse. 5 in favor, 0 opposed, 0 absent.

- **Resolution # 2614 Re: Authorization for Revision of Administrative Assistant Job Description and Pay Scale**

James Gordon moved Resolution #2614 for discussion, and it was seconded by Andrew Ghiorse

Marc Rider explained that the receptionist position will be shifted to the administrative assistant position for the recycling department. The position will receive 50% reimbursement from NYS DEC. He believed the Recycling Outreach Team needed additional assistance with helping to prepare for events and other tasks. This position is budget neutral. This is an hourly position.

James Gordon made a motion to approve **Resolution # 2614 Re: Authorization for Revision of Administrative Assistant Job Description and Pay Scale** and it was seconded by David Gilmour. 5 in favor, 0 opposed and 0 absent.

- **Resolution # 2615 Re: Authorizing and Approving certain Job Descriptions and Pay Scales for Agency Counsel**

James Gordon moved Resolution #2615 for discussion, and it was seconded by Andrew Ghiorse.

Marc Rider stated that he will amend the resolution to add a range in the salary to reflect \$75,000-\$85,000.

After Board discussion, James Gordon made a motion to strike the word “**Board**” from the second “Whereas” paragraph in the resolution, and it was seconded by Andrew Ghiorse.

Donna Egan questioned the financial impact. Marc Rider responded that in the budget, there was an \$85,000 engineering position, that is being reclassified.

This position is for a full-time agency counsel.

James Gordon made a motion to approve the amended **Resolution # 2615 Re: Authorizing and Approving certain Job Descriptions and Pay Scales for Agency Counsel** and it was seconded by Andrew Ghiorse. 5 in favor, 0 opposed and 0 absent.

- **Resolution # 2616 Re: Authorizing and Approving certain Job Descriptions and Pay Scales for Coordinator of Organizational Performance and Development**

David Gilmour moved Resolution #2616 for discussion, and it was seconded by James Gordon.

Marc Rider stated that the last two organizations he worked for used performance measures and tracked them closely. He discussed how he would like to track the Agency’s goals and performances. He discussed what his goals were for this position and what he envisioned the coordinator would do.

This position would be working at the main office, VMF (Vehicle Maintenance Office) and/or remote. The coordinator will mainly work at the office. This will be a part-time position with full benefits.

Marc and the Board discussed the responsibilities of this position, time spent on each task (grant writing/performance management), title name and financial impact. This position may be a full-time position in the future.

Board and Staff agreed to switch bullet points on the job description; make the range \$50,000-\$54,000 and would strike the word “**Board**” from the second “Whereas” paragraph in the resolution.

James Gordon made a motion to approve the amended **Resolution # 2616 Re: Authorizing and Approving certain Job Descriptions and Pay Scales for Coordinator of Organizational Performance and Development** and it was seconded by David Gilmour. 5 in favor, 0 opposed and 0 absent.

- **Resolution # 2617 Re: Authorizing and Approving the Purchase of a Caterpillar 930 Wheel Loader**

James Gordon made a motion for discussion regarding **Resolution #2617 Re: Authorizing and Approving the Purchase of a Caterpillar 930 Wheel Loader** and it was seconded by Andrew Ghiorse

Marc Rider's points made regarding the following resolution:

- This is replacing a piece of equipment that is approximately 8 years old and has over 10,000 hours on it
- It was in the Capital Five Year Plan for this year
- It was budgeted for \$300,000 and it came in at \$304,000
- The trade-in value was not worth it
- Will be used as a backup
- Ordering from Caterpillar because they have offered the strongest warranty and service for free (not all service is included)
- This was through Sourcewell (NYS Bid)
- There is a six-month lead time on receiving the piece of equipment

There was a discussion about certified rebuilt vehicles.

James Gordon made a motion to approve **Resolution #2617 Re: Authorizing and Approving the Purchase of a Caterpillar 930 Wheel Loader as prepared.** 4 approved, 0 opposed, 0 absent, 1 abstention (GILMOUR).

OLD BUSINESS

Regis stated that ABO Board Self-Evaluation was re-submitted electronically.

PUBLIC COMMENT: Bill Kemble asked to make a comment regarding the board self-assessments. He stated if this is interpersonal relationships there is no need to discuss in executive session. He read five sentences from the Appellate Division opinion with respect to this topic. He also asked the Board to be more specific regarding "future employment of personnel".

EXECUTIVE SESSION

James Gordon made a motion to enter executive session at 7:49 PM to discuss the board self-evaluations and to discuss personnel relative to a specific person and it was seconded by Andrew Ghiorse. 5 in favor, 0 opposed, 0 absent.

ADJOURN

Andrew Ghiorse made a motion to adjourn the April 25, 2024, Regular Board Meeting at 8:15 PM and it was seconded by James Gordon. 5 in favor, 0 opposed, 0 absent.

May 23, 2024

Motion to approve the above transcribed Minutes of the April 25, 2024, Regular Board Meeting was made by _____, seconded by _____ . in favor, 0 opposed, 0 absent.

The Minutes were approved by the Board.

Transcribed by: Melinda France, Office Manager.

Signatures:

Regis Objiski, Chair

Ken Gilligan, Secretary

DRAFT