

**Rockland County Solid Waste Management Authority  
Minutes  
November 18, 2004**

<u>Members Present</u>	<u>Members Absent</u>	<u>Others Present</u>
St. Lawrence	none	Benado
Berliner		Burnet
Corallo		O'Donnell
Devine		Simon
Dusanenko		Klos
Gromack		Scales
Jobson, Sr.		Gauntlett
Jobson, Jr.		Lehman
Kleiner		Braunfotel
Marshall		E. Goldman
Moroney		H. Goldman
Phillips		
Schoenberger		
Soskin		
Yarmus		
Zebrowski		
Wassmer		

**1. Call to Order**

The Chairman called the meeting to order at 5:15 PM

**2. Roll Call by Clerk - unanimous attendance**

**3. Adoption of Minutes – July 22, 2004, September 23, 2004**

APPROVED: Unanimous.

**Christopher St. Lawrence**

Before we go further, I'd like to address a concern that was raised by the Hon. Denise Kronstadt, Rockland County Legislator, as to the rights of individual MRF workers under the new contract with Weminuche. The Rockland County Solid Waste Management Authority made it clear we wanted an agreement under which Waste Management workers would continue – with their seniority, increases and a comparable medical plan. Everyone on this Authority asked for that, and it was delivered as a result of our negotiations with Waste Management.

In our talks with the new operator, Weminuche (Hudson Baler) one of our major concerns was health care. Weminuche said their plan was comparable to the Waste Management health plan, but the employees needed to contribute. We required Weminuche to contribute that money

on behalf of the employees. Our concern was for the employees, and we more than hold firm to meet their requests and needs. That is what we did, as the Authority.

With regard to hepatitis vaccines – which is a series of vaccines, over 18 months -- many of the employees had already had the vaccine, or had already started the series. Under the current employee health plan, any worker can go to their primary physician and can get the vaccine. It is 100% covered, with no co-pay.

Meanwhile, the CSEA Union has begun negotiations on a new agreement with the new operator, Weminuche. We are not a part of that bargaining, by law, and we are not privy to their agreements at this time. We covered the workers for a full year, but now they are engaged with their own bargaining unit, in negotiations of their own. However, we have spoken to the CSEA negotiators, and once the agreements are signed, the Union will make that a public document.

Are there any questions? ...If not, just be assured, this Authority at no time would leave workers unprotected.

**Hon. Denise Kronstadt**

I hope I wasn't alarmist, but the question was raised about the hepatitis vaccine coverage, and in order to make sure it was addressed, I wrote that letter. I greatly appreciate the response I got from members of the Authority. What is interesting is that as I was researching the question, other questions came up. I would like to keep talking with Janet Burnet if other concerns arise. The way you explain it, Mr. Chairman, it seems that the health plan is okay – but in addition, workers need to be trained, and the training needs to be available to them during working hours and at no cost to them. Also, if the workers need to see their primary care physician for vaccinations, transportation should not be at their expense.

**Christopher St. Lawrence**

Thank you for your concerns, and please follow through if you have more questions.

4. **Reports** – a) William F. Cosulich Associates – Andrew Lehman  
b) Executive Director – (Acting Executive Director)

**Christopher St. Lawrence**

Our first agenda item is a report from William F. Cosulich Associates. Drew Lehman is here to give that report. Then, we have the Executive Director's report, which I will make, as the budget discussion.

**Herbert Marshall**

Just to quickly call our attention to the adoption of the minutes – the October 28 minutes were not available in the packet.

**Christopher St. Lawrence**

You are correct. The minutes were not yet available. So tonight we have approved the minutes of the meetings of July 24, 2004 and September 23, 2004.

Drew? We do want to spend a lot of time on the budget, so we are short on time. A brief report please, if you can.

**Drew Lehman**

Thank you. The Delaware visit information materials were handed out; you have those. We continued working with staff on the WasteWise Program and met with Hudson Baler. We attended the CoCo RFP Meeting for replacement of current operator: 11 vendors attended – which is a good turnout. We have been working on a design for a glass storage area, to hold for use as sewer backfill material. We helped out on the Mrf and CoCo budgets, and visited the Delaware facility with Authority staff.

**Christopher St. Lawrence**

Thank you Drew. If there is time at the end, end we can talk more about our visit to the bioreactor in Delaware.

- 5. Public Hearing:** To Fix And Determine The Rate, Rental Fee or Charge for Use or Availability of the Facilities and Services of the Rockland County Solid Wste Management Authority for 2005.

**Christopher St. Lawrence**

The floor is open to comments. Are there any comments at this time? There being no comments, the public hearing is closed.

**6. Adoption of 2005 Budget**

**Christopher St. Lawrence**

I'd like to review a few items of the budget, for our information and understanding. And this can be my report as acting Executive Director.

[a very detailed discussion followed, led by Chairman St. Lawrence]

Action items noted as follows:

- We need to set aside about 2.5% of the budget each year to be held as a Capitol Reserve Account.
- IRMA agreements have an underlying problem; and perhaps we must adjust the \$32/ton rebate rate. Some municipalities send their paper to private facilities. We need to draw the line: You are either IN or you are OUT. If a municipality does not send the more valuable paper and cardboard for recycling along with the glass and such, then they should not be getting the rebate. You cannot send paper to private facilities where you get top dollar, and also be rebated as if you had sent the full array of materials to our facility. We will keep the \$32/ton rebate rate program in the 2005 budget, but will consider lowering it to \$24.

- Most line items remain the same.
- The settlement with operators (Waste Management and Synagro) comes in at \$887,500 (a non-recurring budget item) – half (1/2) of which we will put into a capitol reserve account.
- The Transfer Station Facility unit charge raises \$383,000. This is new revenue as a result of the Authority operating the Transfer Station ourselves.
- We budgeted to meet the need for new software for data processing, new software at the scalehouse, etc.; steel-toe boots for workers, uniforms for workers, leaf bags, funding the fuel replenishment program, equipment repair is back up as an expense, but maintenance overhauls are needed.

**RESOLUTION # 47:** Zebrowski/Phillips. Unanimous.

**7. Adoption of Rate, Rental....**

**RESOLUTION # 49:** Zebrowski/Phillips. Unanimous.

**8. Rate of Recyclable revenue payments**

**Marshall**

Will there be a change to the recycling rebate?

**Christopher St. Lawrence**

We left it as it was, but we will review it going forward. We are paying an extra \$500,000 for our MRF operator, and if the Villages are in, they are in – if not they are out. It makes no sense for us to suffer this loss, when we have more expenses. As a historical point: At some time in the past, the rebate was \$16/ton. It may now make sense for us to go to \$24/ton, which would help offset that loss of revenue.

**Marshall**

We do need information so that we can make the right decision.

**Schoenberger**

We need information on what each Village is doing.

**Yarmus**

The concept was meant to be a Countywide solutions – but if there are Villages who want to go it alone – let them go it alone.

**Marshall**

That is not the question. The question is not to make an arbitrary decision.

**Schoenberger**

Yes... We need to get the information first. We need to have the information about the tonnages the Villages are bringing in; but if reduction is necessary for the budget, then it is necessary.

**St. Lawrence**

The question of the Villages could be considered separately. We could reduce the rate and then look at it all across the board.

**Phillips**

What would the effect of a reduction in rebate be, financially, on the municipalities?

**St. Lawrence**

As for Ramapo, we currently get an annual rebate of about \$100,000 – so we would receive about \$75,000. For the Authority, I would like to see a reduction to \$24/ton.

**Phillips**

Should there be a letter to let the Villages know?

**Zebrowski**

Is settling this point integral to the budget right now?

**St. Lawrence**

No, so we can wait on this discussion.

**9. Appointment of Eden Goldman**

**RESOLUTION #48:** Schoenberger/Wassmer. Unanimous.

**10. New Hempstead contract**

**St. Lawrence**

New Hempstead asked us to put together their RFP and manage the bids. Waste Management is awarded the contract for New Hempstead with the low bid of \$2M for backdoor pickup.

**RESOLUTION #50:** Zebrowski/Soskin. Unanimous.

**11. New Business**

**St. Lawrence**

Any new business? There is the Clarkstown Yardwaste Facility to discuss and also, let's look at the Handbook, which we could adopt at the December meeting.

Clarkstown has a yardwaste facility and transfer station. The ability for the Authority to acquire both would give us flow control under the Herkimer decision.

Our station in the Torne Valley has kept our fees down to \$65/ton compared to \$75 or \$85 in others' locations. We are now operating at about \$60/ton.

My point is this: Our operations in the Torne Valley have kept the cap on. We want to look at the possibilities at the Clarkstown Facilities. We met with Supervisor Gromack and want to examine the options there. We could continue with Miele. We could continue with a new operator. We could continue with Clarkstown as the municipal operator, or we could take over, with the municipal operator being the Rockland County Solid Waste Management Authority. I propose that we authorize a reimbursement to the Town of Clarkstown for an amount not to exceed \$38,500 for the purpose of a study assessing and evaluating the alternatives for operating the Clarkstown facility – and a report of this study, so that we can make a decision.

**RESOLUTION #52:** Zebrowski/Phillips. Unanimous.

Introduced by: **Zebrowski/Phillips**  
2004

**Unan.**

November 18,

**Resolution No. 52 of 2004**

**AUTHORIZING REIMBURSEMENT TO THE TOWN OF CLARKSTOWN  
FOR AN ASSESSMENT/EVALUATION REPORT OF ALTERNATIVES  
ASSOCIATED WITH OPERATION OF THE CLARKSTOWN MUNICIPAL  
SOLID WASTE TRANSFER STATION IN WEST NYACK, NEW YORK**

**WHEREAS**, by Resolution No. 35 of 1998, whereby the Rockland County Solid Waste Management Authority (the “Authority”) authorized the acquisition of the Ramapo Transfer Station and Scalehouse, the Authority expressed its intention to acquire the Clarkstown Transfer Station and Scalehouse in West Nyack, New York at some future date, subject to approval of the Town of Clarkstown; and

**WHEREAS**, the Authority has recently expressed its interest in purchasing the Clarkstown Transfer Station and Scalehouse in West Nyack, New York from the Town of Clarkstown in the near future; and

**WHEREAS**, the Town of Clarkstown has obtained a proposal from an engineering company for the assessment/evaluation of alternatives associated with the operation of the Clarkstown Municipal Solid Waste Transfer Station in West Nyack, New York, to allow the Town to consider the options available for the long-term operation of the Transfer Station, including ownership/operation by the Authority; and

**WHEREAS**, the Town of Clarkstown has presented the Authority with a proposal from Holzmacher, McLendon & Murrell, P.C. (H2M Group) in the amount of \$28,500 for such assessment/evaluation report and in the amount of \$10,000 for an appraisal, for a total not-to-exceed amount of \$38,500; and

**WHEREAS**, the Authority has agreed to reimburse the Town of Clarkstown for the cost of the assessment/evaluation report and appraisal in the not-to-exceed amount of \$38,500; now, therefore, be it

**RESOLVED** that the Authority agrees to reimburse the Town of Clarkstown for the cost of the assessment/evaluation report and appraisal of the Clarkstown Municipal Solid Waste Transfer Station and Scalehouse in the not-to-exceed amount of \$38,500; and be it further

**RESOLVED** that the Authority authorizes the Chairman to take such action as may be necessary to effectuate the terms of this resolution.

**St. Lawrence**

Counsel, can you please put that into a resolution?

**Wassmer**

Orange County is getting \$85/ton, and we only charge \$71. Let's see about raising our rate.

**St. Lawrence**

Orange County County Executive Ed Diana and I have discussed a variety of potential options that could be good for both of us. For instance, we could take their tonnage and get an increase to us on the charge, while they could get a decrease. We are a regional facility. And, we may also want to go to \$72/ton sometime during the year. Chestnut Ridge is at \$85/ton – Interstate Waste is charging \$85/ton. Alliance landfill in Pennsylvania is closing to Orange County.

**Wassmer**

We need to keep a continuous eye on tipping fees for the entire region so as to keep abreast of everything. Oradell is at \$85/ton, but it's a paper transaction.

**Phillips**

We adopted rates for each Town. Will we change the rates when the assessments come in?

**St. Lawrence**

We don't get that assessment rate until later. Stanley?

**Stanley Simon**

The differences would be small.

**Zebrowski**

I suggest a resolution ensuring the Chairman can adjust the rates as needed when the assessments come in.

**RESOLUTION #51** – rates

Yarmus/Zebrowski. Unanimous.

**Zebrowski**

I suggest a resolution ensuring the Chairman can adjust the rates as needed.

**St. Lawrence**

All in favor? Passed unanimously.

**Zebrowski**

I'd like to compliment the Chairman-&-Acting-Executive-Director on presenting and explaining the budget so very well. And also for stepping into a difficult position to take charge while we search for a new Executive Director.

**St. Lawrence**

Thank you, Mr. Zebrowski. And I'd like to recognize Mr. Soskin, Mr. Berliner, Dr. Yarmus and the others for their good work on the budget. Particularly, I'd like to thank Stanley Simon the Authority's Financial Officer and Nick DeSantis of O'Conner, Muns, and Dobbins, for their very able work in helping to put together this budget.

Do I have a motion to adjourn?

**MOTION TO ADJOURN:** Corallo / Phillips. Unanimous.

The meeting was adjourned at 6:20PM

Respectfully submitted by Janet Burnet, November 11, 2004

