

**Rockland County Solid Waste Management Authority
Minutes
December 16, 2005**

Members Present**Members Absent****Others Present**

1. **Agenda Item** -- *Call to Order*
2. **Agenda Item** -- *Roll Call by Clerk*
3. **Agenda Item** -- *Adoption of Minutes* –
4. **Agenda Item** – *Reports:*
 - a) *William F. Cosulich Associates – Ted Pytlar*
 - b) *Executive Director – Andrew T. Lehman*

- a) **Chairman -- Christopher St. Lawrence**

I would like to save my comments until item number 5 because I think the most important item we have on the agenda will be the appointment of a new executive director and I want to go into detail on the search committee. Ted, I will yield to you: Ted Pytlar of William F. Cosulich Associates.

- a) **William F. Cosulich Associates – Ted Pytlar**

Good evening. Our main activities during the month of December have been for the Materials Recovery Facility assisting the Authority to obtain final cost estimates for repairs to be reimbursed by Waste Management assisting the Authority meeting with Rockland County Sewer District #1 discussing the use of processed glass from the MRF for use as backfill in the sewers, progress in design on container system and initiated design on the bunker for storing the processed glass and moving the office trailer. On cocomposting facility we have reviewed and are preparing responses to comments on the draft RFP for longterm operations contractor assisted the Authority in discussions with Synagro regarding potential for them staying on for an interim period beginning January, to July 1st, following that meeting, prepared another RFP for the short term operations contractor to cover operations between February 1st to July 1st. Conducted the pre-proposal meeting for that RFP and today received notice that three firms who attended that meeting will provide proposals for the short term operations. With regard to the transfer station, we conducted training on regulatory/client issues, initiated design on a trailer parking station so that truck drivers will have a safer place to put their tarps on. With regard to the WasteWise Program we continued to assist the Authority at the regular WasteWise meetings and working with some of the WasteWise participants in that recycling program. That concludes our presentation,

our regular report for the month. What I'd like to do now is I'd like to offer this commemorative poster on behalf of our firm to the Authority to commemorate the development of the cocomposting facility, the material recovery facility and the transfer station conducted by the Authority and the awards that those facilities have received – in honor of the Authority's Tenth Anniversary which is this year, and in our firm's gratitude for having had the opportunity to work with you for so long, and we continue to do so in the future and in honor of the great leadership and judgement shown by the Authority and staff.

St. Lawrence – Thank you Ted. We Appreciate that. The next item on the agenda is the recommendation of the Search Committee for a new Executive Director. I just want to just quickly go over the process. We advertised in the Rockland Journal News, the New York Times, and Waste Age Magazine which is an industry-wide magazine read throughout this industry and we received 26 resumes. The committee then took the 26 resumes and we narrowed them down to twelve people that we considered further. After reviewing those 12 we came up with 4 candidates that we wanted to call for interviews. Of those candidates one was from Orange County, one was from Rockland County, one was from Bergen and one was from Lynchburg Virginia. So we interviewed all of those and the committee came up with the recommendation which is before us tonight, which is Drew Lehman. This was the final, unanimous decision of the Authority: to choose Drew Lehman as our candidate. So I now recommend to the Authority Drew Lehman. Mr. Lehman has great knowledge of the facility in that he has worked for William f. Cosulich for four years at the facility, has worked approximately 1,000 hours a year at the facility and knows the intricacies of all our RFPS, operating the cocomposting, the household hazardous waste, the material recovery, the transfer station, and he has the background – starting off with the EPA and has a real passion for this industry. In our budget that we passed last month we had between \$100,000 and \$110,000 for this position and we have come upon the terms of \$108,000 and four weeks vacation and he will serve at the pleasure of this Board. Mr. Zebrwoski.

Zebrwoski – I'd like to recognize the work that you have done and to recommend and make a motion to make that appointment at the sum that you said, and also with regard to my conversations with you as acting director in concurrence I'd like to also recommend based on the work and the achievement that has come forth, and increase in salary for Bridget Gauntlet and the Deputy Attorney of \$4,000 and \$2,000 respectively.

Resolution – Zebrwoski/Berliner/Unanimous.

St. Lawrence – Congratulations. Drew, would you like to come up?

Lehman – I'd like to express my appreciation to the search committee for their diligence and for setting aside the time in their schedules to meet with me and the other candidates. I appreciate the opportunity to serve the Authority and the citizens of Rockland County in this capacity as Executive director. There will be a transition period, during which time I will be working my way out the door. I have spoken with Mr. St. Lawrence and Ms. Gauntlett about this transition period. As an associate at the firm there is a backlog of work that I am involved with. But please rest assured that I am resolving those issues now. Ted has been kind enough to pare my transition period down to three weeks and I propose a start date of January 10th to assume the duties as the Executive Director. On a personal note, let me just say that, "This is a great opportunity." I really appreciate it. Thank you for your vote of confidence. This is what I have been waiting for all my career. I started out in 1978 as a summer intern with the US Environmental Protection Agency starting high grade office paper recycling programs. During that internship I trained over 10,000 Federal employees down in Manhattan and over in Newark

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 material for use as sewer backfill. 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. **Agenda Item -- 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 Waste 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. **Agenda Item -- 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 will 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 by the Authority as if you had sent the full array of materials to our facility. For now, we will keep the \$32/ton rebate rate program in the 2005 budget, but will consider lowering it to \$24.
- 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 charges raise \$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 scale house, 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.

Introduced by: Zebrowski/Phillips Unan.

November 18, 2004

RESOLUTION NO. 47 OF 2004
ADOPTION OF THE 2005
SOLID WASTE MANAGEMENT AUTHORITY BUDGET

WHEREAS, by Resolution No. 301 the County of Rockland did authorize and form the Rockland County Solid Waste Management Authority under Title 13-M of the Public Authority Law of the State of New York, and

WHEREAS, the Authority is authorized and empowered to fix and collect rates, rental fees, and other charges for the use of availability of the facilities or services, and commodities provided by the Authority, and

WHEREAS, the Authority is authorized and empowered to plan, study and develop solid waste management facilities, as set forth in the Rockland County Solid Waste Management Plan, and

WHEREAS, the Authority, after due deliberation and public hearing, did review and discuss a budget for the fiscal year 2005 setting forth the various expenditures of the Authority, now therefore be it

RESOLVED, that the Rockland County Solid Waste Management Authority does hereby adopt the budget of the Authority for the year 2005, a copy of which is attached to this resolution and marked as Schedule "A-1".

(A copy of this Resolution attached to Schedule "A-1" can be found as an appendix at the end of these minutes)

7. Agenda Item -- Resolution: Adoption of the Rate, Rental, Fee, or Charge for Use of Availability of the Facilities and Services of the Rockland County Solid Waste Management Authority for 2005.

Introduced by: Zebrowski/Phillips. Unan.

November 18, 2004

RESOLUTION NO. 49 OF 2004
ADOPTION OF RATE, RENTAL FEE
OR CHARGE FOR USE OR AVAILABILITY
OF THE FACILITIES AND SERVICES OF
THE AUTHORITY FOR THE YEAR 2005

WHEREAS, the Rockland County Solid Waste Management Authority (the “Authority”), is a Public Authority, duly organized and existing under Title 13-M of the Public Authority Law of the State of New York, and

WHEREAS, it is necessary for the Authority to set its fees, rates and charges for the usage of the Authority’s facilities for the year 2005 and,

WHEREAS, pursuant to Title 13-M of the Public Authorities Law of the State of New York, the Authority is required to hold a public hearing on the above, and,

WHEREAS, a public hearing was held on November 18, 2004, for the purposes of setting its fees, rates and charges, now therefore be it

RESOLVED, that the fees and charges for the usage of the Authority's facilities annexed hereto and made a part of this Resolution as Exhibit “A” are hereby adopted for the year 2005.

(“Exhibit A” can be found on the following page.)

8. Agenda Item -- Resolution: Setting the Rate of the Municipality Recyclables Revenue Payments for 2005.

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 solution – 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 now?

Zebrowski

Is settling this point integral to the budget right now?

St. Lawrence

No, so we can wait on this discussion.

9. Agenda Item -- Resolution: Appointment of Eden Goldman as Sr. Account Clerk-Typist on a Provisional Basis.

Introduced by: Zebrowski/Phillips

Unan.

November 18, 2004

RESOLUTION NO. 48 of 2004
APPOINTMENT OF SENIOR ACCOUNT CLERK-TYPIST TO THE
ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, the Authority has conducted interviews of candidates from Eligible List # 03227 and determined that Eden Goldman is hereby selected as Senior Account Clerk-Typist to the Authority on a provisional basis, and therefore it is hereby,

RESOLVED, that Eden Goldman is hereby selected as Senior Account Clerk-Typist to the Authority to serve in such capacity at the pleasure of the Authority, subject to approval of her application by the Rockland County Personnel Department, effective immediately upon such approval, and be it further

RESOLVED, that the compensation for such services for the year 2005 shall be the sum of \$36,090.53.00 annually, and be it further

RESOLVED, that the senior account clerk-typist shall perform 40 hours of services per week, and be it further,

RESOLVED, that the Chairman or his designee is hereby authorized and directed to provide a compensation package comparable to that offered to other similarly employed Authority employees and to take all such steps necessary to implement same.

10. Agenda Item -- Resolution: Award of Contract NH-1 for Solid Waste Collection, Transportation and Disposal for the Village of New Hempstead.

St. Lawrence

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

Introduced by: Zebrowski/Soskin

Unan.

November 18, 2004

Resolution No. 50 of 2004

Accepting Bid and Authorizing Execution of Contract NH-1 with Waste Management of New York, LLC for Garbage, Bulky Items, Yard Waste and Recyclable Materials Collection, Transportation, and Disposal for the Village of New Hempstead, New York

WHEREAS, the Village of New Hempstead made a request of the Authority to advertise for bids for the collection, transportation and disposal of its solid waste, bulky items, yard waste and recyclable material; and,

WHEREAS, the Authority issued a Request for Bids for Contract NH-1 for Garbage, Bulky Items, Yard Waste and Recyclable Materials Collection, Transportation, and Disposal for the Village of New Hempstead, New York (“Contract NH-1”) on October 27, 2004; and,

WHEREAS, Waste Management of New York, LLC and Interstate Waste Services submitted responsive bids for the mandatory bid for back door pick up and the alternative bid for curbside pick up. The Village requested that the bid be awarded based on backdoor pickup; and,

WHEREAS, the bids were reviewed and it was determined that Waste Management was the lowest responsible bidder for backdoor pickup, now therefore be it

RESOLVED, that the bid submitted by Waste Management of New York, LLC for Contract NH-1 is hereby accepted, and be it further

RESOLVED, that the Chairman of the Authority is authorized and directed to execute Contract NH-1 with the firm of Waste Management of New York, LLC for the collection of solid waste in the Village of New Hempstead, as described in the specifications for Contract NH-1, subject to review by General Counsel for the Authority.

11. Agenda Item -- New Business

- a. *Clarkstown Facilities.*
- b. *Adjustment of Recyclable Revenue Rates.*

(a.) Clarkstown Facilities

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.

Introduced by: Zebrowski/Phillips

Unan.

November 18, 2004

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 Scale house, the Authority expressed its intention to acquire the Clarkstown Transfer Station and Scale house 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 Scale house 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.

(b.) Adjustment of Recyclable Rates**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.

Introduced by: Yarmus/Zebrowski Unan. November 18, 2004

RESOLUTION NO. 51 OF 2004

**AUTHORIZING CHAIRMAN TO ADJUST THE ESTIMATED
CHARGE PER ONE HUNDRED DOLLARS OF ASSESSED VALUE
PREVIOUSLY ADOPTED FOR THE YEAR 2005**

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority"), is a Public Authority, duly organized and existing under Title 13-M of the Public Authority Law of the State of New York, and

WHEREAS, the fees and charges for the usage of the Authority's facilities have been adopted for the year 2005 and,

WHEREAS, subsequent thereto, should any assessor modify the assessed value due to corrections and certiorari adjustments to the Tax Rolls of their respective Town, these changes to the assessed values require recalculation of the allocation of the total amount levied, thereby resulting in minor adjustments to the “estimated charge per one hundred dollars of assessed value” previously adopted for the year 2005; now therefore be it

RESOLVED, that the Chairman is hereby authorized to adjust, if necessary, the “estimated charge per one hundred dollars of assessed value” previously adopted for the year 2005.

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 situation 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. Unan.

The meeting was adjourned at 6:20PM

Respectfully submitted by Janet Burnet, November 18, 2004

APPENDIX

TO THE NOVEMBER 18, 2004
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY:

RESOLUTION NO. 47 of 2004
And
Schedule A-1
The budget of the Authority for the year 2005

