

**Rockland County Solid Waste Management Authority
Minutes
January 22, 2004**

Members Present

C. St. Lawrence
B. Berliner
S. Corallo
E. Devine
T. Dusanenko
A. D. Jobson
C. Holbrook
T. Kleiner
H. Marshall
H. Phillips
I. Schoenberger
P. Soskin
F. Wassmer
Dr. Yarmus
K. Zebrowski

Members Absent

D. Jobson
P. Moroney

Others Present

R. Delo
A. Etelson
T. Pytlar
T. West
D. Lehman
J. Klos
J. Burnet
H. Benado
K. Scales
G. Perez
B. Riccaldo

The Chairman called the meeting to order at 5:25 p.m.

**Resolution No. 1 of 2004
Adoption of Minutes, Meeting of November 20, 2003**

T. Dusanenko offered the following resolution, which was seconded by S. Corallo and was approved (Jobson Sr., Nay – absent), and,
RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting of November 20, 2003 as recorded by the Clerk are hereby adopted.

**Item #4
WFC**

T. Pytlar stated that the work for December 2003 and January 2004 was:

- β Development of the commercial/industrial-recycling program including the procurement of the collection vehicle and containers.
- β Negotiations of the 6th amendment to the MRF agreement with WM.
- β Draft RFP for the MRF proposer has been issued. A pre-proposal meeting was held and an inspection of the MRF was conducted.
- β Conducted assessment for the yardwaste facilities.
- β WFC contacted the DEC on the renewal for the DEC permit for the transfer station.

Executive Director

R. Delo stated that the Authority has been working on advertising on the public transportation buses. This project will be completed in the near future.

T. Dusanenko requested that the Authority do an advertisement on the buses for the HHW facility.

R. Delo stated that a separate ad would be developed.

T. Dusanenko questioned if welcome wagons still exist in the County?

C. St. Lawrence answered that he was unsure.

T. Dusanenko requested staff to look into this to distribute information about the Authority.

C. St. Lawrence agreed to prepare a packet for all new homeowners.

H. Marshall questioned if the Authority is doing anything with websites?

R. Delo answered that the Authority has a website.

H. Marshall requested information from the Authority for the Village's website.

R. Delo continued that the specifications for the tub grinder and the recycling vehicles are being prepared. The Authority received grants for these items. The Authority is kicking off the waste wise program. The HHW facility is now open year around M-F from 8-1 with limited weekend events. There are still some improvements being completed at the HHW facility.

C. Holbrook stated that the leaf bags and the recycling bins should be kept fully stocked.

R. Delo stated that the problem is storage.

C. St. Lawrence stated that the Towns should keep their storage areas fully stocked.

C. Holbrook stated that the Town has a storage facility in Congers that can be used as storage.

T. Dusanenko agrees with C. Holbrook and feels that the specifications for the recycling bins should be changed with the cold weather they crack. A more rubberized container might be better.

C. St. Lawrence stated that the Authority pays 50% of the total cost of the bins due to a grant that the Authority received from the State.

P. Soskin suggested that a letter should be directed to the carters telling them not to throw the bins in the driveways.

R. Delo answered that the municipalities contract with the carters directly and that the solid waste authority cannot do that.

C. Holbrook stated that there needs to be a supply for this situation.

R. Delo stated that a test was preformed at the cocomposting facility to use clay wood fiber as an amendment and the test went well. The Authority is going to receive \$5/ton for the clay wood fiber. The Authority also preformed a test at the coco with fly ash and that test went well also.

Item #5

**Resolution No. 2 of 2004
Accepting the Slate of Officers Recommended to the Board for the Year 2004**

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

WHEREAS, Officers of the Authority are chosen each year at the Authority’s annual January meeting, and

WHEREAS, the following slate of officers has been recommended to serve in the year 2004:

Chairman:	Christopher St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman:	A. Douglas Jobson
Secretary:	Dr. James Yarmus
Treasurer:	Kenneth Zebrowski
Deputy Treasurer:	Salvatore Corallo, and

WHEREAS, the Authority has accepted the recommendations of said slate of officers, therefore be it

RESOLVED, that the slate of officers of the Authority for the year 2004 shall be as follows:

Chairman:	Christopher St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman:	A. Douglas Jobson
Secretary:	Dr. James Yarmus
Treasurer:	Kenneth Zebrowski
Deputy Treasurer:	Salvatore Corallo, and

Motion to approve
Schoenberger/Zebrowski Unan.

C. St. Lawrence welcomed Supervisor D. Jobson, Sr. to the Authority Board and welcomes his expertise from the Highway Department.

Item #6

was moved to the end

Item #7

**RESOLUTION NO. 3 OF 2004
AUTHORIZING THE CHAIRMAN OF THE
AUTHORITY TO EXECUTE AN IN-COUNTY
ACCEPTABLE WASTE DELIVERY AGREEMENT**

WHEREAS, in 1992, the New York State Department of Environmental Conservation approved Rockland County's (the "County") Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (the "SWMP/GEIS"); and

WHEREAS, the SWMP/GEIS sets forth a strategy that relies upon multiple waste management methods and facilities, including the recycling of select solid waste materials; and

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority") was formed in accordance with section 2053(c) et seq. of the Public Authority Law of the State of New York (the "State"), and resolution no. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

WHEREAS, the Authority acquired the transfer station located in Hillburn, New York from the Town of Ramapo on August 12, 1998 (the "Transfer Station"); and

WHEREAS, the Authority determined under the New York State Environmental Quality Review Act ("SEQRA") that the acquisition of the Transfer Station and improvements thereto, including the recyclables preprocessing facility (the "RPF"), will have no significant impact on the environment; and

WHEREAS, on May 28, 1998 a SEQRA Negative Declaration was issued by the Authority; and

WHEREAS, the Authority has established a municipal solid waste delivery per ton rebate to be paid to municipalities located within the County that deliver or cause to be delivered residential waste to the Transfer Station; and

WHEREAS, in order for a municipality to be entitled to receive such rebate, a municipality shall have entered into an municipal solid waste delivery agreement with the Authority substantially in the form attached hereto; and

NOW THEREFORE BE IT:

RESOLVED, by the Authority that it is the finding of the Authority that the Chairman of the Authority is hereby authorized to execute the Acceptable Waste

Delivery Agreement with any municipality located within the County that desires to receive the above-referenced rebate as recommended by the Executive Director substantially in the form attached hereto, with such additional negotiated terms and any such amendments, modifications, changes and omissions thereto as the Chairman may approve as in the best interest of the Authority and not inconsistent with the terms thereof and the terms presented at this meeting. The execution of the Acceptable Waste Delivery Agreement shall constitute conclusive evidence of the valid authorization hereunder of any such negotiated terms, amendment, modification, change or omission.

RESOLVED, that the Chairman and Executive Director of the Authority, are hereby authorized to execute and deliver any and all other papers, instruments, opinions, certificates, affidavits and other documents, and to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution and the execution and delivery of the Acceptable Waste Delivery Agreement with any municipality located within the County that desires to receive the above-referenced rebate.

Motion to Approve
Wassmer/Berliner

B. Berliner stated that he has had conversations with other Villages and there seems to be a problem with the concept of the agreement especially with the villages that the Authority has contracts with.

C. St. Lawrence explained that the Authority charges \$71/ton for out of county and \$63/ton for in county. There are carters who come in and say that they are from in county when they really might not be. The Authority is going to charge everyone \$71/ton and rebate \$8/ton for municipalities. WM hauls for Pomona, so when WM comes to the transfer station they will get charged \$71/ton and the Authority will rebate the municipality \$8/ton.

H. Marshall stated that the agreement is not very clear.

R. Delo stated that the municipalities that haul directly to the transfer station the Authority will make the adjustments directly on the bills.

H. Marshall stated that he thinks that it is important that this agreement be better explained to the mayors.

C. St. Lawrence stated that the authority would be happy to attend the Conference of Mayors and explain this.

R. Delo stated that assuming that the Authority board approves this agreement then R. Delo would attend the Conference of Mayors and explain it better.

H. Marshall stated that if an explanation letter went with the agreement next week that would be fine.

Unan.

Item #6

C. St. Lawrence stated that the goals for the Authority this year are really the same as last year to continue with the education programs, and all other programs. The one change that will be for the better is to have a different operator at the MRF. WM has been in a contentious mode for the last 18 months and have not been the best operator. The Authority going out for a RFP. The workers are here from WM and belong to the CSEA Union. The WM employees are very hard working and dedicated workers. It is important that the Authority has successor language in the new RFP so that these workers are protected by their seniority date. These workers are paid about 28% less than workers at the Westchester MRF.

Item #8

G. Perez stated that he brags to people all over because these workers are the hardest workers, dedicated and the best. G. Perez is proud to represent these workers. CSEA have been involved with representing these workers from the beginning and G. Perez came around two years ago. There was no Union rep that spoke Spanish. Most of the workers are Latin American immigrants. When G. Perez first arrived it was a struggle to inform the workers what the union was about. These workers had no contact with the union, but it was not before long that there were a lot of issues. The workers biggest concern is safety. Maria has worked in the plant for 4 years on the process line. Her shift was from 6 am to 4:30 to 9:00pm. 6 days to 7 days per week on her feet. She developed a herniated disk from these conditions. She took leave and WM challenged her workers comp claim and when leave ran out WM fired her. The Union wanted her to stay on as the Shop Stewart but WM barred her from the plant, if she came back she would be arrested. The Union and Maria fought back and the Union got her trained as a fork lift operator and won the workers comp case and then got WM to agree to bring her back to hold on to her seniority and now she is a fork lift operator. G. Perez is proud of her and all the workers. CSEA is mainly concerned with the contract negotiations with WM. WM began late in November and the contract expires at the end of December. This was the first time that WM mentioned that they were in the process of leaving. There was no notice to CSEA. The CSEA is in a tough position because WM will only agree to a 6-month contract and nothing beyond. Our first concern is to make sure that when WM does leave that the Union employees are retained. 2 years ago there were 22 members and today there are 13 members. WM is not interested in keeping any employees on. The plant has a lot of temps and it has been a struggle to hold on to the 13 members that we have. If you know anything thing about recycling garbage, the turn over rate, very difficult to find people to do this work, typically prisoners and developmentally disabled people and immigrants. If you pay these people decently and provide a safe place to work they will work harder than any worker in the world and you will not have high turn over and jobs that build

community and families. These people are a part of the immigrant success story so please pass this resolution because all that it is doing is protecting their job security for the new company. The Authority will not only be running a recycling plant that is good for the environment but is good for the communities. G. Perez gave thanks to C. St. Lawrence for his support.

T. West stated that currently the RFP is a draft RFP. The final RFP will be released shortly. In the settlement agreement WM has agreed to have their employees be offered employment by the successful operator. With that being agreed to in the final RFP the Authority will require that the new operator offered employment to the existing employees and recognize their seniority.

C. Holbrook stated that in this resolution there should be no downsizing, out sources, or right sources.

Resolution No. 4 of 2004
Support of Members of CSEA Local 740, AFSCME Local 1000, ALF-CIO, the
Recycling Workers of Rockland County

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

WHEREAS, the Authority contracted on June 27, 1996 with Waste Management of New York, LLC (“Waste Management”), to design, construct and operate a Materials Recovery Facility on the Authority site (“MRF”), and,

WHEREAS, the workers of the MRF employed by Waste Management are represented by CSEA Local CSEA Local 740, AFSCME Local 1000, ALF-CIO (the “Union”), and the collective bargaining agreement between Waste Management and the Union these last five years is set to expire January 31, 2004, and

WHEREAS, in the course of negotiations with the Union regarding a successor collective bargaining agreement Waste Management has informed the Union that the Authority and Waste Management are in the process of finalizing an agreement that will terminate Waste Management’s contract to operate the MRF and require that Waste Management cease operations sometime during the period of June 30, 2004 to August 31, 2004, and,

WHEREAS, Waste Management has informed the Union that the Authority intends to issue a Request for Proposals to select the entity that will succeed Waste Management in overseeing operations at the MRF, and,

WHEREAS, the Recycling Workers of Rockland County have worked tirelessly these last five years, working sometimes upward of sixty and seventy hours a

week, in extreme cold and heat, exposed to the hazards that come with sorting thousands of tons of residential and commercial waste, and,

WHEREAS, many of these hardworking people are immigrants to the United States, from all over Latin America as well as Haiti, and,

WHEREAS, these workers, through their hard work and dedication, make recycling in Rockland County economically viable, and are part of the American dream of hardworking immigrants coming to the United States to work hard, pay taxes and raise their families in a free and caring community, and,

WHEREAS, the American dream of immigrant workers building a better life for themselves, their families, and their community describes much of the history Rockland County's economic development and success, and, therefore be it,

RESOLVED, that the Authority's RFP include the requirement that whatever entity, public or private, that is awarded the contract to operate the MRF offer employment to the Union's bargaining unit members currently working at the MRF in accordance with the positions set forth in the replacement Company's staff plan and recognize the Union as the exclusive bargaining agent for these workers as well as recognize their years of service and sacrifice by recognizing their seniority rights under the previous employer, and still be it further,

RESOLVED, that this successor entity engage in good faith bargaining with the Union to arrive at a collective bargaining agreement that includes a fair and decent, living wage for workers.

Motion to approve
Holbrook/Dusanenko Unan.

C. St. Lawrence stated that the MRF is a tough place to work with the extreme weather and safety conditions. The Authority has offered previously to WM to put in better and safer equipment and share the cost to benefit the workers and to date it has not been done by WM. A new operator will make for a better working relationship and a safer environment.

New Business

T. Dusanenko questioned the aging report, B. Diaz?

A. Etelson answered that there is a dispute between the Borough of Allendale and B. Diaz. There is a judgment filed.

T. Dusanenko questioned why does Mr. Miele owe \$200,000 over 60 days?

R. Delo answered that the Authority owes him more then he owes the Authority.

T. Dusanenko stated that there are several Towns/Villages that are more than 90 days in arrears.

C. St. Lawrence stated that the Town of Ramapo is on this list and the Town and the Authority are working out a deal.

R. Delo stated that there was a meeting today with the Village of Haverstraw to work out their debt.

Motion to adjourn
Corallo/Berliner Unan.

Respectfully Submitted,

Camille Guido-Downey