

Rockland County Solid Waste Management Authority
Minutes
Special Meeting
1:30 PM, December 30, 2004

Members Present

St. Lawrence
 Corallo
 Devine
 Jobson, Jr.
 Jobson, Sr
 Gromack
 Kleiner
 Moroney
 Phillips
 Schoenberger
 Soskin
 Wassmer

Members Absent

Berliner
 Dusanenko
 Marshall
 Zebrowski

Others Present

Benado
 Burnet
 Klos
 Gauntlett
 O'Donnell
 Simon
 West
 Dillon
 L. Toole

1. Agenda Item -- Call to Order

The meeting was called to order at 1:30PM.

2. Agenda Item -- Roll Call by Clerk**3. Agenda Item -- Selection of 2005 Officers**

St. Lawrence: The slate of Officers recommended to serve in the the year 2005 are as follows: Chairman – Christopher P. St. Lawrence, Vice-Chairman – Howard Phillips, Second Vice-Chairman – Patrick Maroney, Treasurer – Philip Soskin, Deputy Treasurer – Robert Berline, Secretary – John Dillon.

Resolution: Phillips/Wassmer/Unanimous.

Introduced by: Phillips/Wassmer

Unan.

December 30, 2004

Resolution No. 56 of 2004
Accepting the Slate of Officers Recommended
to the Authority Board for the Year 2005

WHEREAS, officers of the Authority are generally chosen each year at the Authority's annual January meeting, however, the impending vacancies of both of the positions of Treasurer and Deputy Treasurer, effective December 31, 2004, necessitate designating officers prior to the January meeting, scheduled for January 27, 2005; and

WHEREAS, the Nominating Committee has met and selected a slate of officers for 2005; and,

WHEREAS, the following slate of officers has been recommended to serve in the year 2005:

Chairman:	Christopher P. St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman:	Patrick Moroney
Treasurer:	Philip Soskin
Deputy Treasurer:	Robert Berliner
Secretary:	John Dillon

and

WHEREAS, the Authority has accepted the recommendation of said slate of officers; now therefore be it

RESOLVED, that the slate of officers of the Authority for the year 2005 shall be as follows:

Chairman:	Christopher P. St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman:	Patrick Moroney
Treasurer:	Philip Soskin
Deputy Treasurer:	Robert Berliner
Secretary:	John Dillon

4. Agenda Item – Award of Bid for Village Airmont, Contract VA-1 for Solid Waste Collection, Transportation and Disposal.

St. Lawrence: The next item on our agenda tonight concerns the awarding of a bid for the Village of Airmont. We will have to reject all of the bids that came in to the Authority. Although the Village of Airmont asked the Authority to go out to bid for them, the Village itself re-issued their own RFP while ours was out, without letting us know. We should now charge the Village for our services in connection with our bid process. We should work up a bill, based on the time spent by Authority staff addressing the bid on their behalf.

Counsel can let them know our intent. May I have a resolution to reject the bid?

Resolution: Corallo/Schoenberger/Unanimous.

Introduced by: Corallo/Schoenberger

Unan.

December 30, 2004

Resolution No. 57 of 2004

**Rejecting Bid for Contract VA-1 for Garbage, Bulky Items
and Recyclable Materials Collection, Transportation and
Disposal Contract for the Village of Airmont**

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

WHEREAS, the Authority issued a Request for Bids for garbage, bulky items and recyclable materials collection, transportation and disposal services for the Village of Airmont; and

WHEREAS, the Authority received bids for such collection, transportation and disposal services from Waste Management of New York, LLC and Interstate Waste Services; and

WHEREAS, the Authority has been notified that, notwithstanding the Village of Airmont’s (the “Village”) request to the Authority to issue a bid for collection, transportation and disposal services for the Village, the Village also simultaneously issued its own separate Request for Bids for the same services; and

WHEREAS, the Authority has determined that the best interests of the Authority will be served by rejecting the bids it has received from Waste Management and Interstate Waste Services; now therefore be it

RESOLVED, that the Authority hereby rejects the bid received for the above-referenced Contract VA-1 for garbage, bulky items and recyclable materials collection, transportation and disposal services for the Village of Airmont.

5. **Agenda Item** – *Certificate of Appreciation Presented to Chairman by RCSWMA Staff.*

O’Donnell -- It is my honor on behalf of myself and my colleagues at the Solid Waste Management Authority present our Chairman, Christopher P. St. Lawrence, with this Certificate of Appreciation in recognition of his dedication and service to the Authority in providing oversight and management of the Authority during the vacancy of the Executive Director position. It has been our pleasure and great privilege to have worked with him in that capacity. [copy of certificate attached to these minutes]

St. Lawrence – Thank you Denis, and thank you also to the staff at the Authority for this recognition, and for your good work.

6. **Agenda Item** – *New Business*

St. Lawrence – We have received two proposals for short-term operations of the Cocomposting Facility: one from WeCare and one from Veolia Water. We also received a proposal from Synagro which was not in response to our proposal, but one that we considered. So we may have to have another special meeting after the Legislature has selected the legislative members who will fill the vacancies on our Board. By the way, as you may know, Synagro wanted their contract to be continued during the interim period at an increase of 40% over their current rate – which would have brought them up to more than \$100,000. We have an RFP going out shortly for contracting with a long-term operator to begin in July. Meanwhile, we do need to choose an interim operator.

Schoenberger – Can we delegate the authority now – for making that decision – in lieu of holding a special meeting?

St. Lawrence – Do we have to make a decision by January 6th?

Gauntlett – We were hoping for it, but it isn't absolutely necessary. We also thought it would be good to visit some other facilities.

Toole -- I expect the Legislature to meet on January 18th and to appoint the new Rockland County Solid Waste Management Authority members at that time.

St. Lawrence – Is there a resolution delegating the Executive Director the authority to select a new operator or to extend the current contract?

Wassmer – I would think the Board would have no problem with that authority going either to the Executive Director, or to the Chairman.

T. West – It makes sense to put a resolution in place so as to be able to award the contract by the end of January, since the contract is scheduled to take effect on February first.

Resolution: Schoenberger/Wassmer/Unanimous

Introduced by: Schoenberger/Wassmer Unan.

December 30, 2004

**RESOLUTION NO. 58 OF 2004
AUTHORIZING AUTHORITY CHAIRMAN TO SELECT SHORT-TERM
OPERATOR OF COCOMPOSTING FACILITY OR TO ENTER INTO
AGREEMENT WITH SYNAGRO NORTHEAST TO CONTINUE TO OPERATE
AND MAINTAIN THE COCOMPOSTING FACILITY PENDING SELECTION
OF A LONG-TERM OPERATOR**

WHEREAS, the Authority entered into a contract with Waste Management of New York for the design, construction, start-up, acceptance testing, operation and maintenance of the Facility and the marketing of compost product at the Facility, dated June 27, 1996 (the “Coco Agreement”); and

WHEREAS, the Authority and Waste Management were parties to the Coco Agreement, as amended by the First Amendment dated June 26, 1997, the Second Amendment dated September 26, 1997, the Third Amendment dated March 26, 1998, the Fourth Amendment dated January 28, 1999, the Fifth Amendment dated November 1, 1999, and the Sixth Amendment dated March 1, 2000; and

WHEREAS, on or about August 12, 2000, the Coco Agreement was validly assigned by Waste Management to Synagro-WWT, Inc. (f/k/a Wheelabrator Water Technologies, Inc.), a Maryland corporation, in accordance with Section 14.7 of the Coco Agreement; and

WHEREAS, on or about June 30, 2003, the Authority entered into a Seventh Amendment to the Coco Agreement and a separate Settlement Agreement, whereby the Authority agreed to release Synagro from all of its obligations under the Coco Agreement, as amended, effective January 31, 2005, in exchange for a certain sum of money being paid to the Authority; and

WHEREAS, by issuance of a Draft Request for Proposals for Sludge Cocomposting Facility Operations and Initial Capital Improvements Contractor and Yard Waste Facility Operator on October 15, 2004, the Authority instituted a procurement for operation and maintenance of the Coco, in accordance with the New York State General Municipal Law § 120-w; and

WHEREAS, the procurement schedule necessitated an extension of the services by Synagro until a new operator could be selected and Synagro initially offered terms deemed unfavorable to the Authority, the Authority conducted a procurement to obtain a short-term operator for the Coco, by issuance of a Request for Proposals for Short-Term Operations and Maintenance of the Sludge Cocomposting Facility on December 9, 2004 (“RFP for Short-Term Operations of Coco”); and

WHEREAS, notice of the RFP for Short-Term Operations of the Coco was published in the State Register, Environmental Notice Bulletin and newspapers of general circulation in the County, all in accordance with General Municipal Law § 120-w, and responsive proposals are due January 6, 2005; and

WHEREAS, the current agreement between Synagro and the Authority expires January 31, 2005, and a decision must be made on the RFP for Short-Term Operations of the Coco prior to the Authority’s next scheduled meeting on January 27, 2005, in order that the short-term operator have sufficient time to mobilize for a February 1, 2005 start date; and

WHEREAS, the Authority Board has determined to delegate the authority to its Chairman to review the proposals and select the successful proposer on the RFP for Short-Term Operation of the Coco; notify such proposer of their selection; and begin contract negotiations; and such decision shall be ratified by the Authority Board at its next regularly scheduled meeting on January 27, 2005; now therefore be it

RESOLVED, that the Chairman is hereby delegated the authority to select the successful proposer on the RFP for Short-Term Operation of the Coco, in light of the short time line; such decision to be ratified by the Authority Board at its next regularly scheduled meeting on January 27, 2005.

St. Lawrence -- There being no other business, do we have a resolution to adjourn?

Resolution: Corallo/Phillips/Unanimous

Respectfully submitted by Janet Lee Burnet – January 25, 2005