



## **SOLID WASTE MANAGEMENT AUTHORITY**

P. O. Box 354, 420 Torne Valley Road  
Hillburn, NY 10931  
(845) 753-2200 Tel. (845) 753-2281 Fax  
CHRISTOPHER P. ST. LAWRENCE  
Chairman

### **MINUTES**

#### **RCSWMA Meeting**

**Thursday January 28, 2010 5:00 p.m.**  
**Legislative Chambers**

#### **Present**

**C. St. Lawrence**  
**C. Coker**  
**H. Cornell**  
**E. Day**  
**E. Devine**  
**P. Du Bow**  
**M. Grant**  
**A. Gromack**

#### **Present**

**D. Jobson**  
**D. Kay**  
**H. Phillips**  
**P. Soskin**  
**I. Schoenberger**  
**W. Sherwood**  
**P. Whalen**

#### **Absent**

**V. Altieri**  
**P. Moroney**

#### **Others**

**H. Benado**  
**K. Braunfotel**  
**J. Burnet**  
**J. diFrancesca**  
**B. Gauntlett**  
**S. Haggerty**  
**J. Klos**  
**R. Ludwig**  
**B. Quinn**

#### **Others**

**A. Roppolo**  
**L. Santaro**  
**K. Scales**  
**D. Shabat**  
**K. Shaw**  
**J. Sheridan**  
**L. Stevenson**  
**J. Testone**  
**T. West**

1. Welcome to the Rockland County Solid Waste Management Authority meeting for Thursday, January 28, 2010.
2. Roll call by Clerk. There is a quorum.
3. **Introduced by: Jobson/DuBow** **Unan.** **January 28, 2010**

#### **Resolution No.1 of 2010** **Adoption of Minutes, Meeting of December 3, 2009**

**RESOLVED**, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting of December 3, 2009, as recorded by the Clerk, and are hereby adopted.

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**St. Lawrence:** Motion to go into executive session to discuss contract litigation

**Phillips:** Moved  
**Gromack:** Seconded

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**4. Introduced by: Phillips/Sherwood                      Unan.                      January 28, 2010**

**Resolution No. 2 of 2010  
Appointing the Slate of Officers of the Authority for the Year 2010**

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

**WHEREAS**, the following slate of officers has been proposed to serve in the year 2010:

Chairman:	Christopher P. St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman	Patrick Moroney
Third Vice –Chairman	Alex Gromack
Secretary:	Vincent Altieri
Treasurer:	Philip Soskin
Deputy Treasurer:	Ilan Schoenberger; and

**NOW THEREFORE BE IT RESOLVED**, that the slate of officers of the Authority for the year 2010 shall be as follows:

Chairman:	Christopher P. St. Lawrence
Vice-Chairman:	Howard Phillips
Second Vice-Chairman	Patrick Moroney
Third Vice-Chairman	Alex Gromack
Secretary:	Vincent Altieri
Treasurer:	Philip Soskin
Deputy Treasurer:	Ilan Schoenberger

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**5. Introduced By: Phillips/Gromack                      Unan.                      January 28, 2010**

**Resolution No. 3 Of 2010  
Authorizing Agreement With  
The County Of Rockland Regarding Flow Control**

**WHEREAS**, pursuant to Resolution No. 28 of 2008, the Authority entered into a memorandum of understanding ("MOU") with the County of Rockland (the "County"), dated June 2, 2008, regarding each party's roles and responsibilities as to the rights and obligations of each related to the implementation and enforcement of the recently enacted County Flow Control Law, Chapter 350 of the Laws of Rockland County; and

**WHEREAS**, the MOU provides that the Authority shall reimburse the County for start-up costs relating to the County Department of Health's reclassification of positions, establishment of positions, and acquisition of vehicles and equipment needed to perform the activities in furtherance of enforcement of the County Flow Control Law; and

**WHEREAS**, the MOU further provides that the Authority shall reimburse the County for all reasonable actual costs, as substantiated by the County, for reimbursement of the ongoing costs related to providing effective licensing and enforcement of the County Flow Control Law; and



**WHEREAS**, pursuant to its intermunicipal garbage and recyclables collection agreement with the Authority, the Village of New Hempstead made a request of the Authority to advertise for requests for bids for the collection, transportation and disposal of its solid waste, bulky items, recyclable material, and yard waste; and

**WHEREAS**, the Authority issued a Request for Bids for Contract NH-2 for Garbage, Bulky Items, and Recyclable Materials Collection, Transportation, and Disposal for the Village of New Hempstead, New York (RFB 2009-21) on September 28, 2009; and

**WHEREAS**, by Resolution No. 59 of 2009, the Authority Board rejected all of the bids that were submitted and an amended Request for Bids (RFB 2009-26) was issued on November 23, 2009; and

**WHEREAS**, by Resolution No. 62 of 2009, the Authority Board authorized an extension of Contract NH-1 between the Authority and Interstate Waste Services for the collection of garbage and recyclables for the Village of New Hempstead on a month-to-month basis, under the same terms, conditions, and costs, until such time as the Authority completed its procurement for a new contractor; and

**WHEREAS**, Interstate Waste Services, Sterling Carting, Inc., Carlo Minuto Carting, Inc., Miele Sanitation Co., and Marangi Sanitation submitted bids in response to the subsequent Request for Bids for Contract NH-2 (RFB 2009-26); and

**WHEREAS**, the Authority staff and engineers have reviewed the bids submitted by all five companies in response to the Request for Bids for Contract NH-2 and recommends that Contract NH-2 be awarded to Carlo Minuto Carting, Inc., which submitted the lowest responsible bid for back door pick up; and

**WHEREAS**, the Village of New Hempstead has selected backdoor pick up and concurs with the above recommendation; now therefore be it

**RESOLVED**, that the bid submitted by Carlo Minuto Carting, Inc. for Contract NH-2 is hereby accepted and the contract for the collection of garbage and recyclables for the Village of New Hempstead is hereby awarded to Carlo Minuto Carting, Inc., and be it further

**RESOLVED**, that the Chairman or the Executive Director of the Authority is authorized to execute Contract NH-2 with the firm of Carlo Minuto Carting, Inc. for the collection of garbage and recyclables in the Village of New Hempstead, substantially in the form attached hereto, with any such modifications, changes, or omissions deemed to be in the best interest of the Authority.

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8. Introduced by: **Phillips/Grant**

**Unan.**

**January 28, 2009**

**Resolution No. 6 of 2010  
Ratifying Award and Execution of Contract VH-3 for Garbage and  
Recyclables Collection for the Village of Haverstraw**

**WHEREAS**, Contract VH-2 for Garbage, Bulky Items and Recyclable Materials Collection, Transportation, and Disposal for the Village of Haverstraw, New York between Miele Sanitation Co., Inc. and the Authority expired on November 30, 2009; and

**WHEREAS**, pursuant to its intermunicipal garbage and recyclables collection agreement with the Authority, the Village of Haverstraw made a request of the Authority to advertise for requests for proposals for the collection, transportation and disposal of its solid waste, bulky items and recyclable material; and

**WHEREAS**, the Authority issued a Request for Proposals for Contract VH-3 for Garbage, Bulky Items and Recyclable Materials Collection, Transportation, and Disposal for the Village of Haverstraw, New York (RFP 2009-20) on September 23, 2009; and

**WHEREAS**, by Resolution No. 60 of 2009, the Authority Board rejected all of the proposals that were submitted and an amended Request for Proposals was issued on November 23, 2009; and

**WHEREAS**, by Resolution No. 61 of 2009, the Authority Board authorized an extension of Contract VH-2 between the Authority and Miele Sanitation of New York for the collection of garbage and recyclables for the Village of Haverstraw on a month-to-month basis, under the same terms, conditions, and costs, until such time as the Authority completed its procurement for a new contractor; and

**WHEREAS**, Interstate Waste Services, Sterling Carting, Inc., and Miele Sanitation Co. submitted proposals in response to the subsequent Request for Proposals for Contract VH-3 (RFP 2009-27); and

**WHEREAS**, the Authority staff and engineers have reviewed the proposals submitted by all three companies in response to the Request for Proposals for Contract VH-3 and recommends that Contract VH-3 be awarded to Miele Sanitation Co., which submitted the lowest cost proposal; and

**WHEREAS**, the Village of Haverstraw concurs with the above recommendation; now therefore be it

**RESOLVED**, that the proposal submitted by Miele Sanitation Co. for Contract VH-3 is hereby accepted and the contract for the collection of garbage and recyclables for the Village of Haverstraw is hereby awarded to Miele Sanitation Co., and be it further

**RESOLVED**, that the Chairman or the Executive Director of the Authority is authorized to execute Contract VH-3 with the firm of Miele Sanitation Co. for the collection of garbage and recyclables in the Village of Haverstraw, substantially in the form attached hereto, with any such modifications, changes, or omissions deemed to be in the best interest of the Authority.

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9. Introduced by: Sherwood/Jobson

Unan.

January 28, 2010

**Resolution No. 7 of 2010  
Award Of Contract For Janitorial Services At The Hillburn,  
Clarkstown And Bowline Facilities**

**WHEREAS**, on December 16, 2009, the Authority issued a Request for Proposals for Janitorial Services for its administrative offices and scale houses located in Hillburn, Clarkstown, and West Haverstraw for a two-year term, with three one-year renewals; and

**WHEREAS**, proposals were received from A. Management Services, Gateway Building Services, and KeeClean Management; and

**WHEREAS**, the Authority staff has reviewed the proposals and determined that the proposal submitted by Gateway Building Services, Inc. is in all respects responsive to the Request for Proposals and is the lowest responsible offer, and therefore recommends award of the contract to by Gateway Building Services, Inc.; now therefore be it

**RESOLVED**, that the Authority Board hereby authorizes award to Gateway Building Services, Inc. of the contract for janitorial services at the Authority's Hillburn, Clarkstown and West Haverstraw locations for a two-year term, with three one-year renewals, in substantially the form attached hereto, and the Chairman or the Executive Director is hereby authorized to execute the contract attached hereto.

**Phillips:** Where is Gateway located?

**Stevenson:** They are out of Stamford CT and they have an office in Stony Point.

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10. Introduced by: **Kay/Day**

**Unan.**

**January 28, 2010**

**Resolution No. 8 of 2010  
Award Of Bid For Komatsu Excavator**

**WHEREAS**, on December 15, 2009, the Authority issued a Request for Bids for a Komatsu Model PC300HD excavator, or equal, to be used at the Clarkstown Transfer Station; and

**WHEREAS**, Hoffman Equipment, Pine Bush Equipment, and Jesco, Inc. submitted bids in response to the Request for Bids; and

**WHEREAS**, the Authority staff reviewed the bids and determined that the bid submitted by Pine Bush Equipment conformed to the specifications in the Request for Bids and is the lowest responsive and responsible bid; now therefore be it

**RESOLVED**, that Pine Bush Equipment is hereby awarded the bid for a Komatsu PC300HD-8.

**Phillips:** Is this the lowest bidder?

**Stevenson:** No it's not.

**St. Lawrence:** Why did the Authority decide to purchase this Komatsu excavator?

**Stevenson:** When we went out to bid we used the Komatsu as the standard specs and we also put down or equal. We got a bid from Hoffman which was representing a company called Duson. We felt Duson didn't meet the specifications we were asking for. We did our due diligence. We spoke with one of the references they put down which was the Department of Sanitation in New York City. They said they had the Duson and they're ok but we like the Komatsu's better. They've has problems with the Duson's front loader and the leverage in the back of the machine. We also looked in the resale values and the Komatsu was a lot higher.

**Phillips:** Does H.O. Penn make this type of equipment?

**Stevenson:** H.O. Penn's equipment is Caterpillar and they didn't think they could meet the specifications.

**St. Lawrence:** So the Pine Bush bid that we're accepting tonight was the lowest bid that met the specifications?

**Stevenson:** Absolutely.

**Kay:** How is this being financed?

**Roppolo:** In our financial statements from last year, there's line item that has \$760,000 in it for renewal and replacement. So it will be taken out of that.

**Day:** I want to compliment Mr. Ludwig on a very specific breakdown on rational.

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**St. Lawrence:** For our new board members we will look to have an authority class locally. One of the new laws for Authority's is to have a Finance Committee. So we'll make it the Executive Committee and open it up to anyone else that would like to be on it.

**11. Introduced by: Phillips/Gromack**

**Unan.**

**January 28, 2010**

**Resolution No. 9 of 2010  
Establishing the Finance Committee Pursuant to the  
2009 Amendments to the Public Authorities Law**

**WHEREAS**, the Authority By-Laws provide in Section 5.3 thereof that the Authority may form, from time to time, such standing or special committees from its membership as it deems to advise the Members on any matter incident to the functions of the Authority; and

**WHEREAS**, the 2009 amendments to the Public Authorities Law requires the Authority Board to establish a finance committee to review proposals for the issuance of debt by the authority and make recommendations; and

**WHEREAS**, the Authority Board desires to comply with the provisions of Section 2824(8) of the Public Authorities Law, as amended; now therefore be it

**RESOLVED**, that the Authority Board hereby establishes a finance committee in accordance with Section 2824(8) of the Public Authorities Law, as amended; and be it further

**RESOLVED**, that the Finance Committee shall be comprised of the members of the Executive Committee; and be it further

**RESOLVED**, that the members of the Finance Committee shall generally serve for a term of one year, and that the members of such committee shall be selected at the Authority's annual meeting held in January of each year; and be it further

**RESOLVED**, that the Finance Committees shall meet at such times as may be necessary to carry out the particular functions of such Committee; and be it further

**RESOLVED**, that this resolution shall take effect immediately.

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**New Business**

**Phillips:** I will move retroactively, as of January 1<sup>st</sup>, the Authority employees receive 2% increase in their salaries for cost of living.

**12. Introduced by: Phillips/Jobson Unan. January 28, 2010**

**Resolution No. 10 Of 2010  
Amending The 2010 Budget To Include A  
2% Cost Of Living Adjustment**

**WHEREAS**, the Authority Board has determined that the 2010 budget, as amended by Resolution No. 57 of 2009 and adopted pursuant to Resolution No. 58 of 2009, be further amended to include a 2% cost of living adjustment for those Authority employees who were not previously provided with any cost of living adjustment in the 2010 budget; now therefore be it

**RESOLVED**, that the 2010 budget, amended and adopted as set forth above, is hereby further amended to include a cost of living increase of 2% for those Authority employees not previously provided a cost of living adjustment in the adopted budget; and be it further

**RESOLVED**, that the amendment provided for herein shall be effective as of January 1, 2010.

**St. Lawrence:** We will supply a schedule of comparison.

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**Cornell:** At the next meeting I'd like to have a report of our office paper recycling and how that's going. Also can shredded paper be recycled?

**St. Lawrence:** It can be recycled. I think the Authority should look into the ability to rent or have a vehicle available to go around and set up at the villages and towns and let people come in to shred.

**Phillips:** Haverstraw is going to do a recycling day, to make it easier for the residents, to dispose of their computers and electronics; and we will be working with the Authority in Haverstraw to dispose of them properly.

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**Soskin:** I had someone question whether there are any specifics in regard to the shredded paper. This person has a contract with the County of Rockland for picking up paper and he certifies that since some of the paper is confidential that it's taken right away for pulping.

**St. Lawrence:** Under flow control that would be considered a waste product.

**Roppolo:** We've had that discussion and at the next meeting we will have an update.

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**Roppolo:** In your packet Janet Burnet outlined the Student Conservation Association program. The Hudson Valley Conservation Corps serve the conservation needs of the region through a joint partnership

with the Office of Parks Recreation and Historic Preservation and the Department of Environmental Conservation. We are to recruit for our area, so if you know of a young person, please call the Authority.

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**St. Lawrence:** We did receive our third check for the HHW grant for \$327,688. As you know the state gave out \$1.6M for household hazardous waste programs around the state. Out of that \$1.6M the Authority got \$1.3M.

**Phillips:** Who wrote that grant?

**St. Lawrence:** Janet Burnet wrote that grant for us.

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**St. Lawrence:** Motion to adjourn.

**Gromack:** Moved

**Jobson:** Seconded

Respectfully submitted,  
Suzanne Haggerty