

Minutes
Rockland County Solid Waste Management Authority
Special Meeting
August 13, 2002

Members Present

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

Members Absent

F. Fornario
S. Hurley
R. Karben
T. Kleiner
H. Phillips

Others Present

R. Delo
T. Pytlar
J. Meyers
A. Etelson
D. Tracy
J. Miele
L. Miele
D. O'Donnell
H. Benado
H. Schucker
J. Burnet

Chairman St. Lawrence called the meeting to order at 5:15 pm.

C. St. Lawrence called D. Tracy to address the board.

D. Tracy stated that Miele Sanitation has meet with R. Delo at several meeting to discuss the problems with the increase of the costs at the Pennsylvania landfills. At the meeting one discussion item was a two-tier charge system where a separate charge would be charged for out of state waste. The waste that is coming to the transfer station is 60.93% out of state waste. The reason that this percentage is high is because the tipping fees at the transfer station are cheaper then any place else in New Jersey. Therefore the amount of tonnage which was originally supposed to be between 160-200 tons a day has been dramatically increased and the cost to dispose of said tonnage has also increased to the point where Miele Sanitation Company has been paying out of his pocket \$2.00/ton to get rid of out of state waste. The proposal that was made substantiated by some material and the additional material will be supplied after some ground rules are made. The proposal that was made was to give Miele Sanitation immediate relief rather then to cause Miele to operate at the loss by increasing the out of state tipping fee by \$7/ton. In the proposal we requested \$8/ton, which would allow R. Delo to reduce the fee. By increasing that fee it would provide immediate relief until the long-term solution can be made and it may also discourage the out of state msw that is coming in. If you look at the whole situation from the prospective of the Authority the Authority would be saying that this is great we are receiving a lot of msw and a additional \$3/ton for out of state waste. From Miele's prospective Miele is saying that the more that is coming in the more that we loss or less that we make. Therefore that is why Miele is requesting some immediate relief from this situation by proposing the position of the two-tier charge system bring the out of state rate to \$70/ton. As this is an unforeseen circumstance the Authority should have a

contingency since the Authority only receives tax money once a year and the budget is already set. If the fee is raised for out of state msw to \$70-73, the rate would still be competitive since some NJ transfer station are charging almost \$80/ton. This might curtail the influx of NJ msw. The other argument is what is being done to mitigate? The charts that have been prepared by the Authority shows that 29% of the msw was sent to Pennsylvania landfills. Since this tax was enforced Miele sanitation sends only 1% of the msw their. Miele can easily dispose of that without any request for an increase in fee at 200 tons a day that was originally contemplated under the contract, but not the 500-600 tons a day. Mitigation is not also the answer to the problem for the following reasons: 1) that in order to mitigate you go to unreliable landfills such as Monticello that fax in the at any given day that you can not bring any msw today, which can be demonstrated by copies of faxes. 2) Or Seneca landfill which is a tremendous haul and the shipping fees to Seneca unless you do back hauling are quite expense which does become a mitigation of sorts that does not become satisfactory. With what is going on there is only a matter of time before all the landfills begin to get on the gravy train and a survey of landfills costs that were done by Cosulich shows that the prices are going up. D. Tracy stated that R. Delo called this special meeting tonight because he understands that some immediate relief is due and D. Tracy commended him for attempting to address this. The most drastic things that could happen is that Miele give up and go broke which is no good for the Authority, contractor and the people of Rockland.

T. Dusanenko stated that at the last meeting he raised the option of charging more for out of state msw he believed that counsel responded that because of the court case with the Town of Clarkstown has anything changed since that time?

C. St. Lawrence stated that there have been changes and entertained a motion to go into executive session.

H. Marshall stated that D. Tracy mentioned that the NJ transfer stations increased their charge by more then \$8.

J. Miele responded that the average is \$75/ton.

R. Delo stated that the request for executive session is to discuss contractual matters that may be subject to litigation.

Motion to enter executive session

Jobson/Zebrowski Unan.

Motion to close executive session

Jobson/Zebrowski Unan.

C. St. Lawrence stated that he is not unsympathetic to requests made by our operator. He believes that the operator does a fine job operating the facility. It is C. St. Lawrence's belief that the operator should give immediately the documents that have been requested. This Authority wants to have an immediate special meeting on Tuesday, August 20, 2002

at 5:00 pm in the Chambers to discuss the documents provided to the Authority and will be available to take action at that time. Also C. St. Lawrence is not unsympathetic that there is a lot of msw at the transfer station and there can be immediate relief that would raise the fees, which would direct the msw to other sources. The most important thing is that the fee be on an out of state basic would give relief to the taxpayers in Rockland County and the municipalities.

D. Jobson made a motion that the Solid Waste Authority raise the tipping fee to \$70 for out of state msw effective Monday, August 19, 2002.

Resolution No. 24 of 2002

Authorizing the Increase in Tipping Fees from \$63 per ton to \$70 per ton For Out Of State Solid Waste Delivered to the Rockland County Solid Waste Management Authority's Transfer Station Effective August 19, 2002

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority") is a 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 current tipping fee for delivery for solid waste to the Authority's transfer station is the sum of \$63 per ton, and,

WHEREAS, under current market conditions the Authority has determined that it must increase its tipping fees to offset the projected increase in its expense in paying for the disposal of the solid waste delivered to its transfer station, and,

WHEREAS, the proper and efficient disposal of solid waste in Rockland County is the responsibility of the Authority to foster the health and welfare of its residents, and therefore be it,

RESOLVED, that effective August 19, 2002 haulers of solid waste emanating from without the State of New York shall pay a tipping fee of \$70 per ton for delivering such solid waste to the Authority's transfer station, and be it further,

RESOLVED, that the Executive Director notify the haulers of solid waste to its transfer station of the increase in tipping fees.

K. Zebrowski seconded the motion and requested a more comprehensive review of the rates before the next meeting.

T. Dusanenko requested D. Jobson to consider an out of county and an out of state rate?

C. St. Lawrence stated that it is not going to be the easiest thing in the world to delineate the msw from out of state and it may be even harder for both charges. Out of state only for \$70/ton.

Motion to approve the rate increase for out of state msw at the transfer station to \$70/ton

Jobson/Zebrowski Unan.

New Business

T. Dusanenko made a motion to authorized the Executive Director and/or staff to negotiate the concept of the Authority to purchase fuel for contractors/haulers at a reduction of saving and have a proposal at our next Authority meeting.

Resolution No. 25 of 2002
Authorizing the Executive Director to Inquire into and to
Report to the Authority on Providing a Fuel Replenishment Program for the
Haulers of Solid Waste from the Authority's Transfer Station to the Designated
Disposal Facilities

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority"), is a 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 has inquired into the feasibility of providing a fuel replenishment program for the haulers of solid waste from the Authority's transfer station to the designated disposal facilities, and

WHEREAS, by reducing the net cost to the haulers the overall cost of disposing and transporting solid waste may result in a savings to the residents of Rockland County, now, therefore, be it

RESOLVED, that the Executive Director research the prospect of providing a fuel replenishment program for the haulers of solid waste from the Authority's transfer station to the designated disposal facilities and report to the Authority at the next Authority meeting.

F. Wassmer seconded the motion made by T. Dusanenko.

Unan.

D. Tracy thanked the Authority Board for the actions that were taken tonight and that the committee could look forward to the requested information as soon as possible.

Motion to adjourn
Zebrowski/Corallo Unan.

Respectfully Submitted,
Camille Guido