

Minutes
Rockland County Solid Waste Management Authority
Special Meeting
October 23, 2002

Members Present

C. St. Lawrence
S. Corallo
E. Devine
F. Fornario
C. Holbrook
D. Jobson
T. Kleiner
H. Phillips
I. Schoenberger
F. Wassmer
Dr. Yarmus
K. Zebrowski

Members Absent

B. Berliner
T. Dusanenko
S. Hurley
R. Karben
H. Marshall

Others Present

R. Delo
A. Etelson
T. West
T. Pytlar
J. Klos
D. O'Donnell
J. Graifman

The Chairman called the meeting to order at 5:10 p.m.

C. St. Lawrence stated that the Authority has received the NYS Governor's Award for Innovation and Waste Reduction and Recycling. The award will be given on Friday, October 25, 2002 and J. Burnet will be receiving the award for the Authority, anyone interested in going please let her know.

Item #3

R. Delo stated that a comparison of costs have been prepared for the option of the Authority to operate the transfer station. The Authority is requesting proposals for a new operator to operate the transfer station. In the RFP there are a few options:

1. For a contractor to operate the transfer station in the same manner now.
2. For a contract to operate the transfer station and take the waste to designated disposal site, i.e. Sullivan County and Ontario County Landfill.

The Authority will compare the costs of these two alternatives. In addition the Authority is out for bid for just transportation costs and all these bid will be back in time for the November 21, 2002 meeting and the Authority will have enough time to review all the options. What was prepared was an analysis of what it would cost the Authority to operate the transfer station ourselves. The analysis is based on 100,000 tons a year at a cost of \$5/ton.

C. St. Lawrence stated that Sullivan County Landfill is 57 miles from our facility. Sullivan County has stated that they do business with various carters and their goal is to

do business with municipal agencies. Sullivan estimated that they have 100,000 tons to contract with Rockland County and/or Orange County. The preliminary cost would be \$43/ton. This option would be good if the Authority decides to operate the facility or it would be good for the operator for the next five years. Sullivan County Landfill is a NYSDEC permitted facility and is nearby. Ontario County is 300 miles away and this facility will give the Authority an alternative site.

K. Zebrowski stated that for the purpose of expediting our consideration and hopefully going in a direction that the majority of the Authority, he thinks that it is prudent that the direction of the Chairman is followed and R. Delo should make it clear that what was said about having three options becomes modified if the Authority opts to secure fixed landfill space at Sullivan and Ontario. Option # 1 would no longer be an option. K. Zebrowski stated that he feels that it would be better to state that there are only 2 options not 3.

C. St. Lawrence stated that this resolution is to give the Executive Director and/or Chairman room to negotiate and if the negotiations were successful then the 1st option would no longer be on the table. The only options that would be left would be to have someone operate the transfer station and take it to a designated landfill or operate the transfer station ourselves.

K. Zebrowski stated that the resolution should state that securing this landfill space is a high priority and it is being presented as a priority and if it fails then the Authority goes back to ground zero and if it does not fail then there is no option #1. The way that the facility is being operated now will not continue and the Authority would have to assume a different level of responsibility being the disposal of waste.

RESOLUTION NO. 36 OF 2002
AUTHORIZING THE CHAIRMAN OF THE AUTHORITY TO EXECUTE
INTERMUNICIPAL AGREEMENTS WITH SULLIVAN AND ONTARIO
COUNTIES FOR THE DISPOSAL OF MUNICIPAL SOLID WASTE

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 Rockland County’s Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (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 relating to the acquisition of the Transfer Station and improvements thereto, including the RPF; and

WHEREAS, pursuant to the Authority’s procurement policies, on October 17, 2002, the Authority issued a request for proposals for a private operator to operate and maintain the Transfer Station, and haul and dispose of municipal solid waste delivered to the Transfer Station at a landfill or landfills selected by such private operator (the “RFP”) which shall commence on January 1, 2003; and

WHEREAS, the aforementioned RFP requested, in the alternative, a proposal wherein the private vendor would operate and maintain the Transfer Station and haul and dispose of municipal solid waste delivered to the Transfer Station and such waste would be required to be disposed of at a landfill or landfills designated by the Authority; and

WHEREAS, the Authority has also requested, in a separate procurement, hauling services wherein the Authority would operate and maintain the Transfer Station and a private vendor would only be required to haul municipal solid waste delivered to such Transfer Station to a landfill or landfills designated by the Authority; and

WHEREAS, Sullivan and Ontario Counties (the “Counties”), municipal corporations under the laws of the State, indicate that they have capacity available for the disposal of solid waste and are desirous of entering into an agreement to provide for the disposal of municipal solid waste delivered or caused to be delivered thereto; and

WHEREAS, the Executive Director has determined, through preliminary negotiations with representatives of the Counties, that such Counties’ offer to receive and dispose of municipal solid waste delivered or caused to be delivered thereto at their landfills provide terms and conditions to the Authority which are generally more favorable to the Authority than the terms and conditions offered from private vendors; and

WHEREAS, the Authority seeks to enter into an intermunicipal agreement with the Counties for the disposal of municipal solid waste services; and

NOW THEREFORE BE IT:

RESOLVED, that the Authority authorizes the Executive Director to negotiate an intermunicipal agreement with the Counties for the disposal of municipal solid waste to their respective landfills.

RESOLVED, that it is the finding of the Authority that the Chairman of the Authority is hereby authorized to execute such intermunicipal agreements on terms and conditions as the Chairman may approve as in the best interests of the Authority and

not inconsistent with the terms discussed at this meeting, including the terms set forth in the attachment hereto.

RESOLVED, that the Chairman and the 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 intergovernmental agreements.

RESOLVED, in that such agreements will be entered into between the Authority, a public benefit corporation under the laws of the State, and the Counties, municipal corporations under the laws of the State, the Authority hereby finds that the Authority's procurement policies and procedures shall not govern when the Authority is entering into an agreement with another governmental entity, and any provision of such policies and procedures to the contrary shall hereby be amended, modified or changed accordingly.

Motion to approve
Phillips/Jobson Unan.

Motion to adjourn
Corallo/Yarmus Unan.

The regularly scheduled monthly meeting is tomorrow at 6pm at Ramapo Town Hall.

Respectfully Submitted,
Camille Guido