

**Rockland County Solid Waste Management Authority**  
**Minutes**  
**April 3, 2003**

**Members Present**

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

**Members Absent**

E. Devine  
S. Hurley  
H. Phillips  
F. Wassmer

**Others Present**

R. Delo  
A. Etelson  
T. Pytlar  
T. West  
J. Miele  
D. Tracy  
J. Klos  
H. Benado  
D. O'Donnell  
B. Beckmann  
S. Simon

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

**Item #3**

**Resolution No. 6 of 2003**  
**Adoption of Minutes, Meeting of February 27, 2003**

B. Berlin offered the following resolution, which was seconded by S. Corallo and was approved unanimously, and,  
**RESOLVED**, that the transcribed Minutes of the Rockland County Solid Waste Management Authority for the meeting of February 27, 2003 as recorded by the Clerk are hereby adopted.

**Item #4**

**Reports-WFC**

T. Pytlar stated that the March 2003 activities were:

- Review a subcontractor feasibility report for photovoltaic power on the Ramapo Landfill. The study show that the unsubsidized cost would result in power that would cost \$.56 a KH which is 4 times the going rate. Without a substantial subsidize of 75% it is not economically feasible unless a major subsidy becomes available.
- WFC answered NYSDEC questions on the tubgrinder, HDPE flatteners, and commercial institutional equipment.
- WFC assisted the Executive Director in a meeting with NYSDEC to discuss the permitting issues for the composting yardwaste facility. The upper site would

have some permitting issues because of the rattlesnakes and the lower site would not.

- WFC received unsolicited proposals for the yardwaste facility operations.
- Due to the severe winter that we had the Authority is reviewing a program for building the structure to store the amendment and dry it. The Authority has also looked at using solar energy to dry the material.

### **Executive Director**

R. Delo stated that the Authority had its 1<sup>st</sup> HHW event for the year 2003. The Authority had cars backed up all the way almost to the PIP. This program is just too successful. Over 700 cars participated in the 1<sup>st</sup> event. R. Delo feels that the Authority needs to move ahead with the plan for additional staff, which we are working on with the Department of Personnel to open the facility up during the week to help take the load off of the weekend events. The Authority is moving forward with the improvements to the Facility. The Authority is having ongoing discussions with WM regarding the 2000, 2001 & 2002 reconciliation's, improvements to the facility and the lawsuit. The negotiations are positive. The corrosion issues at the Composting Facility are resolved along the lines of the letters that the Authority Board have already received. Synagro is pushing the Authority to release our right to renew the contract. The Authority is pushing for exit testing to be done. The Authority has been overwhelmed with MSW at the transfer station. The Authority's contractor has not responded by providing the proper transfer trucks. This has resulted in excessive MSW being stored overnight at the transfer station and also the Authority having to close the transfer station on a number of occasions due to excess MSW. The Authority has put the contract on notice. R. Delo stated that in fairness it is a tough situation because the Authority does not have a steady flow of MSW at the transfer station but it is the contractor's responsibility to remove the MSW. As a result of the contractor not moving the MSW out the Authority we had to turned away the Town of Ramapo on one occasion.

C. St. Lawrence stated that the Town of Ramapo was turned away because there was 854 tons on that Monday of MSW from NJ, and the Garfield transfer station had closed. The Authority has a 2,820-tonnage limit for a week. Does the Authority have to hold ourselves to that limit? Somehow the Authority has to make room for Ramapo.

R. Delo answered that the Authority cannot go over our tonnage limit unless you notify the NYSDEC by phone and follow up with a letter and the NYSDEC agrees. The Authority did go over our permit by 4 tons on that Monday and the Authority has taken steps to ensure that this does not happen again. The Authority is also looking at trying to reserve some capacity to be sure that in county trucks always get in.

I. Schoenberger stated that it is unacceptable that in county trucks were not allowed in.

C. St. Lawrence stated that with Passover coming up, the Town of Ramapo is going to be taking an additional 200 tons off the streets each week.

R. Delo stated that the Authority has made a request to the NYSDEC for additional tonnage due to the Passover season. The Authority does do this each year and if necessary will also extend our hours that we are allowed to receive waste. R. Delo stated that the bottom line is that overnight the Authority went from 2,100 tons to 2,800 tons.

C. St. Lawrence stated that it is unfair for our contractor who has to ship out the transfer station MSW and his our contract for Ramapo he was unable to dump.

R. Delo stated that the Authority needs to take steps to ensure that our contractor is removing all the waste at the transfer station. The Authority has about 550 tons of room on the tipping floor for storage in case of these surges.

C. St. Lawrence stated that the Authority also ran into a problem with Sullivan County.

R. Delo answered that there were two or three weeks where Sullivan County could not take any more MSW. As the Authority makes in county a priority, Sullivan County does the same. Rockland County's in county MSW has increased by 50%.

T. Dusanenko stated that out of county trucks should wait to dump at the end of the day. Is there any room to store trailers on site for this situation?

R. Delo answered that in the contract it states that trailers can be on site, loaded or unloaded and can be stored over night and Miele can haul out any time.

#### **Item #5**

### **Resolution No. 7 of 2003 Providing Dental Insurance Coverage to Employees of the Authority Through Delta Dental of New York Preferred Option Plan**

**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 State of New York, and,

**WHEREAS**, full time employees of the Authority have requested that they be afforded dental benefits similar to that provided by the County of Rockland to its employees, and,

**WHEREAS**, Delta Dental of New York has offered to provide dental coverage to the full time employees of the Authority, and,

**WHEREAS**, the full time employees have expressed a desire to be insured for dental treatment through Delta Dental of New York's Preferred Option plan at no cost to said employees, now therefore, be it,

**RESOLVED**, that the Authority provided dental coverage to its full time employees pursuant to Delta Dental of New York's Preferred Option Plan at no cost to said employees.

Motion to Approve  
Zebrowski/Schoenberger Unan.

**Item #6**

**RESOLUTION NO. 8 OF 2003  
ADOPTION OF DESIGNATED HAULER CREDIT POLICY**

**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 ("RFP"), 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**, the accounts of certain Designated Haulers that deliver solid waste to the Transfer Station have become delinquent; and

**WHEREAS**, the Authority deems that it would be in its best interest to enact a credit policy for all Designated Haulers that deliver solid waste to the Transfer Station as well as other Authority facilities (the "Authority Designated Hauler Credit Policy"), a copy of which is attached hereto; and

**WHEREAS**, in connection with the adoption of the Authority Designated Hauler Credit Policy, the Authority wishes to increase the Transfer Station out-of-County tip fee to generate revenue to off-set Designated Hauler accounts that are deemed uncollectible;

**RESOLVED**, that the Authority hereby adopts the Authority Designated Hauler Credit Policy, as attached hereto.

**RESOLVED**, that in connection with the adoption of the Authority Designated Hauler Credit Policy, the Authority hereby increases the Transfer Station out-of-County tip fee by \$1.00, with the revenue generated by such increase being used to off-set any Designated Hauler accounts that the Authority deems to be uncollectible.

**RESOLVED**, that the Chairman, Treasurer and Executive Director are hereby authorized to execute any credit agreement with a Designated Hauler in accordance with the terms of the Authority Designated Hauler Credit Policy, and take any other actions necessary to enforce and administer such policy.

### **Discussion**

K. Zebrowski stated that this was a very lively committee and called to Mr. West to discuss the Policy.

T. West stated that the revised Credit Policy was created to address the carters that are in default with the Authority. The committee met and the Policy is attached to the resolution. The explanation of the policy is that all carters will need to pay the Authority within 14 days of the receipt of the bill. If no payment has been received the carters still have an additional 5 days to pay. If at that time the Authority will deemed the carter to be in default if not paid. At that time use of the Authority Facilities would be subject to COD and the hauler would have to enter into a payment agreement so that the Authority would receive the past due amounts. In addition, any haulers tipping fees that would exceed \$20,000 a month have to post a payment bond for twice the amount of their monthly amount and the payment bond needs to be filed before they can use the facilities. Any haulers that were late 4 times a year on their payments would also have to post a payment bond. This policy also allows the Executive Director at his discretion to make an alternative solution to certain haulers.

K. Zebrowski stated that T. West has summarized the policy correctly. What this policy does which T. Dusanenko has been pressing for, is it cleans up the present and sets the Authority for the future. The Authority will not have a situation where the Authority is carrying a carter financially. The Authority does not want to answer to the public on why these carters are not paying. This policy addresses the small mom & pop companies by giving the limit of \$20,000 and if they don't pay then making them post the bond. K. Zebrowski stated that the members of the board should feel secure in a sense that this Authority has taken action to ensure that the Authority is not subject to any criticism and all those who use the facility have to pay as they go or the Authority will use all possible means to collect what is owed.

T. Dusanenko commended the members of the sub-committee. The sub-committee meeting was scheduled and cancelled a number of times and I was unable to attend the meeting. What can the Authority still do on the outstanding amounts?

C. St. Lawrence answered that in the meeting the members of the sub-committee took T. Dusanenko's advise and the Authority may be able to get some money back from the bankruptcy court from Schettino. The Authority may be able to collect \$.30 on a dollar.

C. St. Lawrence stated that he remembered T. Dusanenko's suggestion to have some money in a reserve fund to pay off bad debts. The committee suggested to increase the tip fee for the out of county MSW from \$70 to \$71 a ton and the \$1 to be put in a debt reduction fund so that the taxpayers do not have to pay for this. The Authority estimates almost \$80,000 a year to reduce the outstanding monies owed.

K. Zebrowski requested the policy be distributed to the members and we adopted it at the next meeting.

C. St. Lawrence answered that the policy was in the packet.

R. Delo stated that the resolution reflects the \$1 increase in the tipping fee.

T. Dusanenko questioned the status of Scuffy Carting and B. Diaz Sanitation?

K. Zebrowski stated that the members examined every carter when this policy was created and the members directed the Executive Director and the Accountant to take action. The members eliminated and verbal promises that were made via phone. Everything has been put in a format so that there are no human error.

R. Delo added that the Authority has collected a substantial amount of money since the committee met.

A. Etelson stated that a judgment has been entered in NJ against Scuffy Carting. The Authority has retained counsel in NJ and trucks are about to be seized. The new counsel in NJ was recommended by K. Zebrowski. B. Diaz Sanitation is due an answer to Etelson in two weeks and if no answer is received then the Authority will file a judgment.

Motion to Approve  
Dusanenko/Zebrowski

H. Marshall questioned the \$1 fee increase. If the Authority increased the fee by \$5 perhaps that would contribute to the mitigating of the backup of the MSW at the transfer station and enhance the fund that is to be created? \$80,000 a year would help but only scratch the surface.

C. St. Lawrence stated that the Authority just increased the fee from \$63. to \$70 and possibly at the next meeting we can increase it further. The committee did discuss raising the rate more than the \$1 but thought that a small step was a better one.

Unan.

#### **Item #7**

This item was pulled and will be ready next month.

C. St. Lawrence questioned when the contract expires?

R. Delo answered that the Authority has almost two years left on the existing contract.

**Item #8**

This item was pulled

**New Business**

**Resolution No. 9 of 2003  
AUTHORIZING THE FILING OF APPLICATION FOR STATE  
GRANT-IN-AID FOR THE RAMAPO YARDWASTE FACILITY AND SIGNING  
OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE  
LAWS OF NEW YORK STATE**

**WHEREAS**, the Rockland County Legislature, pursuant to Resolution No. 301 of 1994 and Section 2053 (c) et seq. of the Public Authorities Law, created the Rockland County Solid Waste Management Authority (the “Authority”), to plan, design, finance, procure and operate the municipal solid waste reduction and recycling projects as set forth in the Rockland County Comprehensive Solid Waste Management Plan, (the “Plan”), and

**WHEREAS**, the PLAN provides for several facilities and programs each to reduce and recycle a specific portion of the solid waste stream, and,

**WHEREAS**, the State of New York (the “STATE”) provides financial aid for such municipal waste reduction and recycling projects, and

**WHEREAS**, the AUTHORITY, has examined and duly considered the applicable laws of the State of New York and the AUTHORITY deems it in the public interest and benefit to file application under these laws to obtain such financial aid for the a) Ramapo Yardwaste Facility, under the PLAN, and

**WHEREAS**, it is necessary that THE PEOPLE OF THE STATE OF NEW YORK and the AUTHORITY execute contracts for such financial aid, now, therefore, be it

**RESOLVED** by the ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY, the following:

1. That the AUTHORITY is hereby authorized to file applications for the below listed project in such form required by the STATE OF NEW YORK in conformity with the applicable laws of the State of New York including all understanding and assurances as may be contained in such applications:  
Ramapo Yardwaste Facility

2. Ronald C. Delo, P.E., Executive Director of the Authority is directed and authorized as the official representative of the AUTHORITY to act in connection with the applications and to provide such additional information as may be required to execute any resulting contracts, should such applications be approved.
3. The AUTHORITY agrees it will fund its portion of the cost of said new Ramapo Yardwaste Facility.
4. Five (5) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, NY 12233-7253, together with a completed application.
5. This resolution shall take effect immediately.

Motion to Approve  
Schoenberger/Corallo Unan.

R. Delo stated that he is requesting moving the May 2003 meeting from May 22, 2003 to May 29, 2003.

**RESOLUTION NO. 10 OF 2003  
RESCHEDULING OF MAY 2003 MEETING**

**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 Authority’s Law of the State of New York, and

**WHEREAS**, the by-laws of the Authority do state in section 4.2 that regular meetings of the Authority shall be held once per month and may be held on the fourth Thursday of each month at the regular meeting place of the Authority, and at such other times and places as from time to time as may be determined by resolution, and therefore be it,

Motion to Approve  
Berliner/Jobson Unan.

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

D. Tracy thanked the Board for this opportunity to address the Board. D. Tracy stated that the transfer station has a capacity of 700 tons a day. If you deduct the 175 tons allocation for the preprocessing facility then the Authority is over permit. The transfer station is too small for the amount of waste that the Authority is processing. R. Delo and I agree on the time it takes to load a truck and the number of hours we are working there. Miele

Sanitation does acknowledge that there is a problem when the MSW spiked from 240 tons to 800 tons. Miele Sanitation was not prepared for that spike. However we did remedy the situation. D. Tracy questioned what the intent of the Authority is? Is it to make money? To accept MSW from everywhere? Or just Rockland County?

C. St. Lawrence answered that the mission of the Authority is to maximum the use of our facilities to the benefit of Rockland County.

D. Tracy invited R. Delo to study the transfer station. The transfer station was cut in half when the Authority built the preprocessing facility.

C. St. Lawrence stated that he is glad that D. Tracy came to the Board to discuss this situation. There is no question that the Authority is accepting more MSW and that the Facility was cut in half due to the preprocessing facility. The Authority will have to address the size and amount of tonnage coming in. C. St. Lawrence does agree and will be visiting the transfer station to make the facility more efficient. The Authority does want to make the facility more efficient and not at the cost of the operator.

D. Tracy appreciated C. St. Lawrence comments. D. Tracy also welcomes everyone's input on this situation.

J. Miele stated that he reviewed the tons from last week. The transfer station takes an average of 499 tons a day and if you add the preprocessing facility ton of 175 the Authority is going over the tonnage limit. Miele has enough trucks to haul out 499 tons but not enough to haul out the serge of 700 tons. Sullivan County also has been closing down early due to their limits.

C. St. Lawrence stated that the Authority has contacted the DEC to help Sullivan County get over their tonnage limits.

C. St. Lawrence commended K. Zebrowski for his work on the sub-committee for the new transfer station credit policy and for the work for dental benefits for the full time employees of the Authority.

K. Zebrowski stated that it would of not happened if we did not have a good leader. The dialog that was allowed in this meeting tonight allows all the members to understand what is going on.

J. Miele stated that the Authority should call DEP Scott Dubacker to help with Scuffy.

Motion to Adjourn  
Holbrook/Fornario Unan.

Respectfully Submitted,  
Camille Guido-Downey