

**Rockland County Solid Waste Management Authority
Minutes
July 22, 2003**

Members Present

C. St. Lawrence
S. Corallo
E. Devine
F> Fornario
C. Holbrook
D. Jobson
T. Kleiner
H. Marshall
I.Schoenberger
P. Soskin

Members Absent

B. Berliner
T. Dusanenko
S. Hurley
H. Phillips
F. Wassmer
Dr. Yarmus
K. Zebrowski

Others Present

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

The meeting was called to order by the Chairman at 4:10 pm.

Item #3

RESOLUTION NO. 18 OF 2003

**AUTHORIZING THE EXECUTIVE DIRECTOR
TO FILE A SEQRA NEGATIVE DECLARATION
IN CONNECTION WITH THE AUTHORITY'S
PROPOSED INSTALLATION OF A BALER AT THE
RECYCLABLES PREPROCESSING FACILITY**

WHEREAS, in 1992, the New York State Department of Environmental Conservation approved Rockland County's (the "County") Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (the "SWMP/GEIS"); and

WHEREAS, the SWMP/GEIS sets forth a strategy that relies upon multiple waste management methods and facilities, including recycling; and

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 "Act"), and Resolution No. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

WHEREAS, the County Legislature, as the lead agency, was responsible for coordinating the New York State Environmental Quality Review Act ("SEQRA") process for development of the Facility; and

WHEREAS, by Resolution No. ___ of 1998, the Authority declared that the acquisition of the Transfer Station and improvements thereto, including the recyclables preprocessing facility (the “Facility”), was an Unlisted action under SEQRA and would have no significant impact on the environment; and

WHEREAS, on May 28, 1998 a SEQRA Negative Declaration was issued by the Authority; 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 intends to undertake an improvement to the Facility; and

WHEREAS, such improvement consists of the installation of a baler at the Facility; and

WHEREAS, the installation of the baler will enable the Authority to ship recovered recyclables directly to recycling markets; and

WHEREAS, the Authority, as the lead agency, is responsible for coordinating the SEQRA process for the improvement to the Facility; and

WHEREAS, the Authority has determined that the proposed action is subject to the SEQRA review process; and

WHEREAS, the Authority has determined that the proposed action is an Unlisted action under SEQRA; and

WHEREAS, the Authority has conducted an uncoordinated review of the proposed action under SEQRA as such action will be directly undertaken by the Authority; and

WHEREAS, the Authority has reviewed the short Environmental Assessment Form (“EAF”) for Unlisted actions, attached hereto as Exhibit “A”, prepared by William F. Cosulich Associates, P.C., finding that the proposed action will have no significant impact on the environment; and

WHEREAS, the Authority has considered the proposed improvement to the Facility and the environmental impacts of such proposed action and determined that the proposed action will have no significant environmental impacts; and

NOW, THEREFORE, BE IT RESOLVED that the Authority adopts the findings and conclusion relating to the probable environmental impacts contained within the attached EAF and the Negative Declaration, attached hereto as Exhibit “A”, prepared by William F. Cosulich Associates, P.C.

BE IT FURTHER RESOLVED, that the Authority authorizes the Executive Director to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

BE IT FURTHER RESOLVED, that the Authority authorizes the Executive Director to take such further steps as might be necessary to discharge the Authority's responsibility for this action.

Motion to Approve
Holbrook/Jobson Unan.

RESOLUTION NO. 19 OF 2003

**AUTHORIZING THE EXECUTIVE DIRECTOR
TO FILE A SEQRA NEGATIVE DECLARATION
IN CONNECTION WITH THE AUTHORITY'S
PROPOSED INSTALLATION OF A WOOD DRYING
BUILDING AT THE COCOMPOSTING FACILITY**

WHEREAS, in 1992, the New York State Department of Environmental Conservation approved Rockland County's (the "County") Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (the "SWMP/GEIS"); and

WHEREAS, the SWMP/GEIS sets forth a strategy that relies upon multiple waste management methods and facilities, including recycling; and

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 "Act"), and Resolution No. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

WHEREAS, the County determined that the implementation of a cocomposting facility (1) would assist the County in meeting the goals of the SWMP/GEIS in the reduction, recycling and reuse of certain portions of the solid waste stream, (2) is a long term, reliable, and environmentally and economically acceptable means to dispose of sludge and other organic materials, and (3) is in furtherance of the public health, welfare and safety; and

WHEREAS, the Authority constructed a cocomposting facility (the "Facility") in the Torne Valley, Ramapo, New York to cocompost dewatered sludge with clean wood waste and, potentially, waste paper; and

WHEREAS, the County Legislature, as the lead agency, was responsible for coordinating the New York State Environmental Quality Review Act ("SEQRA") process for development of the Facility; and

WHEREAS, in January of 1994 a SEQRA Positive Declaration identified the Facility as having a potentially significant impact on the environment and the community; and

WHEREAS, the Authority prepared a draft supplemental generic environmental impact statement (“SGEIS”) for the Facility and, after comment and review, the final SGEIS was completed and accepted on May 2, 1995; and

WHEREAS, the Authority determined that the Facility would have no significant impact on the environment; and

WHEREAS, the SEQRA process for the Facility concluded on May 21, 1995 with the issuance of the Findings Statement; and

WHEREAS, the Authority is undertaking an improvement to the Facility; and

WHEREAS, such improvement consists of the installation of a wood drying building to improve the quality of the wood amendment to the Facility; and

WHEREAS, the proposed wood drying operation will include a solar technology that dehumidifies air and expedites drying of chipped wood; and

WHEREAS, the solar technology will also generate warm air used in the composting process thereby offsetting use of fuel oil to heat the Facility; and

WHEREAS, the Authority is responsible for coordinating the SEQRA process for the improvement to the Facility; and

WHEREAS, the Authority has determined that the proposed action is subject to the SEQRA review process; and

WHEREAS, the Authority has determined that the proposed action is an Unlisted action under SEQRA; and

WHEREAS, the Authority has conducted an uncoordinated review of the proposed action under SEQRA as such action will be directly undertaken by the Authority; and

WHEREAS, the Authority has reviewed the Environmental Assessment Form (“EAF”), attached hereto as Exhibit “A”, prepared by William F. Cosulich Associates, P.C.; and

WHEREAS, the Authority has considered the proposed improvements to the Facility and the environmental impacts of such proposed action; and

NOW, THEREFORE, BE IT RESOLVED that the Authority adopts the findings and conclusion relating to the probable environmental impacts contained within

the attached EAF and the Negative Declaration, attached hereto as Exhibit “A”, prepared by William F. Cosulich Associates, P.C., finding that the proposed action will have no significant impact on the environment.

BE IT FURTHER RESOLVED, that the Authority authorizes the Executive Director to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

BE IT FURTHER RESOLVED, that the Authority authorizes the Executive Director to take such further steps as might be necessary to discharge the Authority’s responsibility for this action.

Motion to Approve
Holbrook/Jobson Unan.

Item #4

RESOLUTION NO. 20 OF 2003

APPROVING THE FORM OF AND ADOPTING THE AMENDED AND RESTATED FOURTH SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUE OF UP TO \$9,500,000 GENERAL OBLIGATION BONDS, SERIES 2003B, APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND THE DISTRIBUTION OF THE OFFICIAL STATEMENT, APPROVING THE FORM OF THE BOND PURCHASE AGREEMENT FOR THE SERIES 2003B BONDS, AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS, FOR THE SALE, OF THE SERIES 2003B BONDS, AUTHORIZING THE HOLDING OF A PUBLIC HEARING AND CONFIRMING THE SELECTION OF THE UNDERWRITER.

WHEREAS, in 1992, the New York State Department of Environmental Conservation approved Rockland County’s (the “County”) Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (the “SWMP/GEIS”); and

WHEREAS, the SWMP/GEIS sets forth a strategy that relies upon multiple waste management methods and facilities, including recycling; and

WHEREAS, the Rockland County Solid Waste Management Authority (the “Authority”) was formed in accordance with section 2053c et seq. of the Public Authority Law of the State of New York (the “Act”) and Resolution No. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

WHEREAS, on August 12, 1998, the Authority acquired the Ramapo Transfer Station located at 50 Baler Boulevard, Hillburn, New York (the “Transfer Station”) from the Town of Ramapo; and

WHEREAS, the Authority constructed the materials recovery facility (the “Facility”) in Ramapo, New York to process commingled recyclables, to provide a long term, reliable and environmentally sound means of processing commingled recyclables and to assist the County in meeting its State-mandated goal of reduction, recycling and reuse of certain portions of the solid waste stream; and

WHEREAS, on November 15, 2001, the Authority adopted the 2001 Note Resolution (the “2001 Note Resolution”) authorizing the issuance of up to \$2,500,000 2001 Bond Anticipation Notes, Series A (the “2002A Notes”) to continue to finance improvements to the Transfer Station; and

WHEREAS, on November 15, 2001, the Authority adopted the Fourth Supplemental Resolution authorizing the issuance of up to \$2,500,000 General Obligation Bonds, Series 2002A (the “Series 2002A Bonds”) to finance improvements to the Transfer Station and the refunding of the 2002A Notes; and

WHEREAS, on April 4, 2002, the Authority issued the 2002A Notes in the aggregate principal amount of \$2,500,000 for financing the improvements to the Transfer Station; and

WHEREAS, the Authority has determined the advisability of issuing a series of Bonds, together with the application of other available funds of the Authority, to pay at maturity the principal and interest on the Series 2002A Notes and certain other Capital Costs, including improvements to the Transfer Station and the Facility and other facility planning and engineering costs; and

WHEREAS, by Resolution No. 18 of 2003, the Authority determined that under the State Environmental Quality Review Act (“SEQRA”) the proposed improvements to the Transfer Station have no significant impact on the environment; and

WHEREAS, in accordance with Resolution No. 18 of 2003, the Authority has filed a Negative Declaration concerning the proposed action in accordance with SEQRA; and

WHEREAS, by Resolution No. 19 of 2003, the Authority determined that under the State Environmental Quality Review Act (“SEQRA”) the proposed improvements to the Facility have no significant impact on the environment; and

WHEREAS, in accordance with Resolution No. 19 of 2003, the Authority has filed a Negative Declaration concerning the proposed action in accordance with SEQRA; and

WHEREAS, the Authority intends to authorize, amend and restate the Fourth Supplemental Resolution up to \$9,500,000 to pay at maturity the Series 2002A Notes and other Capital Costs; and

NOW THEREFORE BE IT:

RESOLVED, that the Authority intends to sell, solely upon the request of the Executive Director, pursuant to the Solid Waste Management System Bond Resolution dated November 30, 1995, as amended (the “Bond Resolution”), and the Fourth Supplemental Resolution as amended and restated, the form of which has been set before the Authority Board, its Series 2003B Bonds, to First Albany Corporation, as Underwriter for the transaction, pursuant to a Bond Purchase Agreement between the Authority and First Albany Corporation (the “Bond Purchase Agreement”), the form of which Bond Purchase Agreement has been set before the Authority Board, and be it further

RESOLVED, that the Authority Board approves the form of the Fourth Supplemental Resolution Authorizing the Issue of up to \$9,500,000 General Obligation Bonds, Series 2003B as amended and restated (the “Fourth Supplemental Resolution”), as submitted to this meeting and made a part of this resolution as though set forth in full herein, and be it further

RESOLVED, that in connection with the sale of the Series 2003B Bonds, the Authority Board approves the form of and authorizes the distribution of the Preliminary Official Statement in substantially the form as submitted to this meeting and made a part of this resolution as though set forth in full herein with such changes, omissions, and insertions as may be approved by an Authorized Officer, and be it further

RESOLVED, that the Authority Board authorizes the certification by the Chairman, or an Authorized Officer, that the Preliminary Official Statement of the Authority is deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission, except for certain omissions relating to information not required under said Rule to be included therein, and be it further

RESOLVED, that the Authority Board authorizes the Chairman, or an Authorized Officer, to execute and deliver, on behalf of the Authority, a final Official Statement relating to the Series 2003B Bonds with such changes, insertions and omissions to the Preliminary Official Statement as may be approved by the Chairman or by such Authorized Officer, said execution being conclusive evidence of such approval, and any amendments or supplements thereto which may be necessary or desirable. After execution, the Chairman, or such Authorized Officer, is hereby authorized to deliver to the purchasers of the Series 2003B Bonds an executed copy or copies of such Official Statement and any amendments or supplements thereto, and be it further

RESOLVED, that the Authority Board approves the forms of the Bond Purchase Agreement and Continuing Disclosure Agreement submitted to this meeting and made a part of this resolution as though set forth in full herein, in the manner set forth in Section 301 of the Fourth Supplemental Resolution, and authorizes the Chairman, or an Authorized Officer, to approve and execute such changes to the Bond Purchase Agreement and Continuing Disclosure Agreement as may be deemed necessary or convenient to effectuate the purposes thereof, and be it further

RESOLVED, that the Chairman, or an Authorized Officer, is authorized to execute upon such terms and conditions as are determined to be in the best interests of the Authority and are consistent with the provisions of the Fourth Supplemental Resolution: (i) a Continuing Disclosure Agreement and Bond Purchase Agreement and (ii) any additional agreements, certificates or other documents necessary to facilitate the sale and issuance of the Series 2003B Bonds and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, and be it further

RESOLVED, that the Executive Director is authorized to advertise and hold a public hearing in connection with the issuance of the 2003B Bonds as required by applicable tax law, and be it further

RESOLVED, that the Authority Board confirms and ratifies the selection of First Albany Corporation as Underwriter for the transaction.

Motion to Approve
Holbrook/Corallo

Discussion

H. Marshall questioned why we need this bond and why this bond was increased from the initial amount that was discussed last month?

R. Delo answered that the reason why we increased the bond was after discussions with our Financial Advisors and Bond Counsel we did not include the debt service reserve fund and all the financing costs. We also went back and reviewed all the money left in all of the Authority's bonds and determined that the money needed was not to exceed \$9.5 million. The Authority will only borrow the actual final numbers and we are expecting it to be \$8.5 million.

C. St. Lawrence stated that this resolution is just to authorize the bonds.

R. Delo stated that this bond includes the improvements to the MRF building for the glass system which will able us to market the glass material to be used on road projects. The Authority currently pays \$25-35 per ton to get rid of the glass because it has a negative value now.

C. St. Lawrence stated that this glass system grinds the glass into sand like material.

R. Delo added that this bonding also allows for the funding of the plastic flatteners that will improve the efficiency of the MRF and allow for more capacity. The original intent of the pre-processing facility was to bring the sorted material from the preprocessing facility to the MRF to be baled. This process has not worked out. What the Authority is looking for is an addition to the preprocessing facility with a baler. The Authority would bale the materials there and ship them to markets. Recyclables are light in loose form and

the most economic way to transport them is baled. Having this additional baler will give us redundancy. At the MRF there is only one baler and when it is down the facility is shut down and the Authority is out of business. Having this extra baler would allow material to be baled at the preprocessing facility when the MRF baler is not working. The other cost's in this bond are related to the condemnation with Ramapo Land and also with the hope to acquire additional property for the yardwaste facility.

H. Marshall questioned how large is the Authority's reserve?

R. Delo answered that the Authority is required to have 10% in a reserve fund. That money is used at the end of the borrowing to cover the balloon payment.

Item #5

RESOLUTION NO. 21 OF 2003
Ratifying the Executive Director's Award of Bid # B03-01 for the Purchase of
Recycling Bins to the Lowest Bidder

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 received a grant from the New York State Environmental Protection Fund for purchasing recycling bins for all the households in Rockland County, and,

WHEREAS, the Authority has distributed invitations to bid for the purchase of up to 30,000 blue and 30,000 green recycling bins for the collection of commingled containers and commingled paper products, and,

WHEREAS, the Authority received bids from the following vendors:

Rehrig Pacific Company
SCL A-1 Plastics Ltd.
Busch Systems Int'l

and the lowest bidder was SCL A-1 Plastic Ltd. in the sum of \$4.11 without lid, \$1.60 for lid only and \$5.71 per bin with lid, now therefore be it,

RESOLVED, that the Executive Director is authorized on behalf of the Authority to purchase the recycling bins from SCL A-1 Plastics Ltd. the said for the sum of \$4.11 without lid, \$1.60 for lid only and \$5.71 per bin with lid according to the specifications set forth in the invitation to bid.

Motion to Approve
Soskin/Holbrook Unan.

Item #6

**RESOLUTION NO. 22 OF 2003
CANCELLATION OF AUGUST 2003 MEETING**

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, by Resolution No. 39 of 1995 the Authority did ratify an amendment to section 4.2 to the by-laws, whereas the Chairman may elect to cancel any single regular monthly meeting for lack of any business to be transacted or anticipated lack of a quorum, therefore be it

RESOLVED, that the regular monthly meeting, originally scheduled for August 28, 2003 shall be cancelled.

Motion to Approve
Jobson/Holbrook Unan.

New Business

H. Marshall suggested that the Board approve the May 29, 2003 minutes.

**Resolution No. 23 of 2003
Adoption of Minutes, Meeting of May 29, 2003**

C. Holbrook offered the following resolution, which was seconded by F. Wasserman and was approved unanimously, and,

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority for the meeting of May 29, 2003 as recorded by the Clerk are hereby adopted.

Motion to Adjourn
Fornario/Corallo Unan.

Respectfully Submitted,
Camille Guido-Downey