



**SOLID WASTE MANAGEMENT AUTHORITY**

420 Torne Valley Road, Floor 2  
Hillburn, NY 10931  
(845) 753-2200 Tel. (845) 753-2281 Fax

CHRISTOPHER P. ST. LAWRENCE  
Chairman

**MINUTES**

**RCSWMA Meeting**

**Thursday April 24, 2008 5:00 p.m.**

**Legislative Chambers**

**Present**

**C. St. Lawrence  
V. Altieri  
G. Bierker  
C. Coker  
H. Cornell  
E. Devine  
P. Du Bow**

**Present**

**M. Grant  
A. Gromack  
D. Kay  
T. Kleiner  
H. Phillips  
P. Soskin**

**Absent**

**D. Jobson  
P. Marino  
P. Moroney  
I. Schoenberger**

**Others**

**G. Damiani  
B. Gauntlett  
S. Haggerty  
R. Lauria  
D. O'Donnell**

**Others**

**T. Pytlar  
K. Scales  
L. Toole  
T. West**

1. Welcome to the Rockland County Solid Waste Management Authority meeting for Thursday, April 24, 2008. I'd like to welcome our newest member, Mayor Du Bow of South Nyack.
2. Roll call by Clerk. There is a quorum.

Supervisor Gromack asked if the County Legislature was still on target to adopt flow control at the May meeting.

Bridget Gauntlett responded yes, the public hearing date is May 20<sup>th</sup>.

**St. Lawrence:** There are no minutes to adopt at this meeting. The first resolution is approving the settlement of the Authority's lawsuit.

**3. Introduced by: Phillips/Soskin                      Unan.                      April 24, 2008**

**Resolution No. 18 of 2008**

**Authorizing Settlement of the Authority's Lawsuit Against Synagro-WWT, Inc. and Synagro Technologies**

**WHEREAS**, pursuant to Resolution No. 36 of 2005, the Authority filed suit against Synagro-WWT, Inc. and Synagro Technologies for the recovery of the amount of alleged damages to the Cocomposting Facility's odor control system, operating system, and facility equipment; and



**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; and be it further

**RESOLVED**, that the Authority authorizes the Chairman or his designee to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

**St. Lawrence:** The next resolution authorizes the acquisition of the Bowline Transfer Station.

**5. Introduced By: Phillips/Gromack      Unan.      April 24, 2008**

**Resolution No. 20 of 2008  
Authorizing the Acquisition of the Bowline Transfer Station located  
in West Haverstraw, New York**

**WHEREAS**, the owner of the Bowline Transfer Station, Gerard Damiani, Jr., and Bowline Realty Corp., which owns the underlying land, have indicated their desire to sell the Bowline Transfer Station and underlying land, scale, and all equipment related to the facility, to the Authority; and

**WHEREAS**, by Resolution No. 33 of 2007, the Authority authorized that notification be made to the Rockland County Legislature of its intent to acquire the Bowline Transfer Station; and

**WHEREAS**, by letter dated November 16, 2007, the Authority notified the Rockland County Legislature of such intent, and the County Legislature did not file any objection to the proposed acquisition; and

**WHEREAS**, by Resolution No.    of 2008, the Authority has determined that under the State Environmental Quality Review Act ("SEQRA"), the proposed action will have no significant impact on the environment, and the Authority has made a Negative Declaration concerning the proposed action in accordance with the applicable provisions of law; and

**WHEREAS**, the parties are still negotiating the terms of the sale of the above transfer station and underlying land, scale, and all equipment related to the facility, but have agreed upon a purchase price of Six Million Dollars \$6,000,000.00; now therefore be it

**RESOLVED**, that the Authority authorizes the acquisition of the Bowline Transfer Station and underlying land, scale, and all equipment related to the facility for a purchase price in the amount of Six Million Dollars (\$6,000,000.00); and be it further

**RESOLVED**, that the Chairman is hereby authorized to negotiate the terms of an agreement to acquire the Bowline Transfer Station and underlying land, scale, and all equipment related to the facility, and to execute such documents as may be necessary to effectuate the acquisition thereof, subject to review by Authority Counsel.

**Kleiner:** Would you summarize what we are doing?

**St. Lawrence:** The Bowline station in North Rockland services currently all the commercial and residential garbage in Stony Point and Haverstraw. As part of flow control, if we take over that station we will not displace any of the flow in Stony Point and Haverstraw. It will now become a public facility and be directed under the laws according to the Supreme Court. Our appraisal came in at \$6M and the appraisal the owner had done came in at \$6.7M.

**Phillips:** I just want to state so the rest of the Solid Waste Authority members realize, this is going to be a tremendous help to North Rockland. The last thing we need, especially with flow control, are all of these garbage trucks tracking through both towns and heading out to go to Ramapo to the Solid Waste Authority. By having this transfer station, we are really going to centralize everybody. It's going to save a tremendous amount of money for the carters on gas they would use to have to go over to the Authority. But a much more major factor in all of this is reducing congestion on all of the streets. So we are going to save time and money and that's also going to reflect in the prices that they are going to be able to keep down, not only to the residential users but also to the commercial users as well.

**Grant:** Can we have a synopsis from the Counsel on the appraisals.

**Gauntlett:** We had a land appraisal performed by Bill Beckmann and that came in at \$1.8M and that was just for the property. Then we requested a business appraisal and that came in at \$6M which includes the \$1.8M for the land.

**St. Lawrence:** The next item on the agenda is declaring the intent of the Authority to establish itself as "Lead Agency" for the proposed flow control legislation and authorizing the filing of a SEQRA.

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

**Unan.**

**April 24, 2008**

**Resolution No. 21 of 2008  
Declaring the Intent of the Authority to Establish Itself as "Lead Agency"  
for the Proposed Flow Control Legislation and Authorizing the Filing  
of a Negative Declaration**

**WHEREAS**, under SEQR, a lead agency must be designated to conduct the environmental review of the proposed action; and

**WHEREAS**, the lead agency for SEQR purposes should be the agency most closely involved with the proposed action; and

**WHEREAS**, the Authority is the agency that will most closely be involved with the proposed enactment of flow control legislation in Rockland County; 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 enactment of flow control legislation and the environmental impacts of such proposed action; and

**WHEREAS**, the Authority has determined that the proposed action is an Unlisted action

under SEQRA, and it will not have a significant impact on the environment; now therefore be it

**RESOLVED**, that the Authority Board hereby declares its intent that the Authority shall be the lead agency for the purpose of conducting an environmental review of the enactment of flow control legislation in Rockland County; and be it further

**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; and be it further

**RESOLVED**, that the Authority authorizes the Chairman or his designee to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law.

**St. Lawrence:** Next resolution is to authorize the assignment of the transfer station service agreement amendment.

**7. Introduced by: Phillips/Kay                      Unan.                      April 24, 2008**

**Resolution No. 22 of 2008**  
**Authorizing Assignment of the Transfer Station Agreement from Allserveco, Inc. to IWS**  
**Transfer Systems of NY, Inc., Amendment and Restatement of the**  
**Transfer Station Service Agreement and Amendment of the Guaranty Agreement**

**WHEREAS**, the Authority has an agreement with Allserveco, Inc. for operations and maintenance, hauling and disposal services for the Hillburn transfer station ("Agreement"), which contains a provision prohibiting assignment of the Agreement without the prior written consent of the Authority; and

**WHEREAS**, Allserveco contacted the Authority, by letter dated March 10, 2008, requesting the Authority's consent to its proposed assignment of the Agreement to IWS Transfer Systems of NY, Inc. ("IWS"); and

**WHEREAS**, Allserveco has represented that IWS has agreed to assume all of Allserveco's obligations under the Agreement, and that IWS will carry out the operations under the Agreement; and

**WHEREAS**, pursuant to the assignment of the Agreement certain revisions to the Agreement (including the Appendices thereto) and to the Guaranty Agreement are necessitated thereby, as shown in the restated and amended Agreement attached hereto and the revised Guaranty Agreement ; now therefore be it

**RESOLVED**, that the Authority hereby consents to assignment of the Transfer Station Service Agreement to IWS Transfer Systems of NY, Inc. and authorizes the Chairman to sign the Assignment Assumption and Consent Agreement attached hereto, in acknowledgment of the Authority consent, subject to review by Authority Counsel; and be it further

**RESOLVED**, that the Authority Board hereby authorizes the amendments to the Transfer Station Service Agreement (including the Appendices thereto) and Guaranty Agreement, and authorizes the Chairman to execute the Restated and Amended Transfer Station Service Agreement and Guaranty Agreement, substantially in the form attached hereto, subject to review by Authority Counsel.

**St. Lawrence:** Item ten is ratifying the selection of a contractor and the execution of contract to perform renovation of Authority's document storage building. This is a small existing building and is being paid for by state grant.

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

**Unan.**

**April 24, 2008**

**Resolution No. 23 of 2008**  
**Ratifying Selection of Contractor and Execution of Contract to Perform**  
**Renovation of Authority's Document Storage Building**

**WHEREAS**, the Authority has received a grant in the amount of \$59,500.00 from the New York State Archives for a document storage facility to be renovated at the Rockland County Solid Waste Management Authority; and

**WHEREAS**, the Authority issued a Request for Proposals, RFP-2008-02, for renovations to the Authority's storage building for the purpose of subdividing the existing interior space to provide a climate controlled archives storage space and a general use space for the Authority; and

**WHEREAS**, three proposals were submitted to the Authority on March 20, 2008, in response to RFP-2008-02, and R.G. Construction was selected as the most responsive and cost effective proposal; and

**WHEREAS**, the Authority is required by the terms of the grant to complete the renovations of the storage building by June 30, 2008, and time being of the essence, a contractor was selected and an agreement to perform the renovations was executed by the Chairman on March 26, 2008; now therefore be it

**RESOLVED**, that the Authority Board hereby ratifies the selection of R.G. Construction and execution of the attached agreement to perform the renovation of the Authority's storage building.

**New business**

**Bierker:** At one of Legislative meetings, an issue came before us concerning the recycling of plastic bags. I asked whether the Solid Waste Authority had any interest in this issue and was advised that they do not. Since Decicco's is already recycling and getting money for these bags, my question is why not.

**St. Lawrence:** I would never give the answer myself that we are not interested. Anytime we can take something out of the waste stream and divert it out of landfills to be properly recycled, that is the definition of the Solid Waste Authority. I don't know who you asked, but there may have been some confusion about whether we were involved in the recycling already. If the Legislature puts in a law

asking large stores to have a space in their store for the storage of the bags that are brought back, we think that's a great idea. We are in support of it.

**Coker:** It passed the Environmental Committee and then it went to the full Legislature and was passed there. If the Solid Waste Authority was supportive of this and if at some point if the Solid Waste Authority did develop a program to recycle these plastic bags, the homeowners would be very glad to include that in their recycling.

**St. Lawrence:** So many times it depends if there is a market for a product. We always want to take things out of the waste stream.

**Bierker:** Should we ask the staff at the Solid Waste Authority to investigate this issue, and to see if there is a market and to make an actual determination of whether the Solid Waste Authority wants to get involved with the recycling of these plastic bags.

**St. Lawrence:** I think that we don't just ask, but we make that a motion.

**9. Introduced by: Bierker/Gromack      Unan.      April 24, 2008**

**Resolution No. 24 of 2008  
Requesting Authority Staff to Investigate Market  
for Recycling of Plastic Shopping Bags**

**WHEREAS**, the Rockland County Legislature recently enacted a law requiring recycling programs in retail stores of a certain size that provide plastic shopping bags for their customers; and

**WHEREAS**, Authority Board Member Gerold Bierker requested that the staff at the Authority investigate whether there is a market for recycling of plastic shopping bags, so that the Board could determine whether to get involved with the recycling of these plastic bags; now therefore be it

**RESOLVED**, that Authority staff shall investigate whether there is a market for recycling of plastic shopping bags and report back to the Board on the results of such investigation.

**Gromack:** The other day we were talking about recycling in our parks, are there any attractive recycling containers for our municipalities, community centers and parks? Maybe we could start a test program.

**St. Lawrence:** That's a great idea. Kerri maybe you could look into that.

**Scales:** There are a lot of vendors that provide products like that and I could make that information available to you.

**Gromack:** The Authority may want to purchase some and give them out. This may be something that is helpful and we need to figure out a way to get them out into our parks.

**Phillips:** The summer is approaching quickly and more people can see these larger bins and some of them are too small and they overflow in a day's time. When people see the larger bins it encourages them to recycle.

**Scales:** Palisades Interstate Park Commission is looking to start a pilot program at the camps because they are a little bit more controlled. As part of the Girl Scout initiative they are trying to get some receptacles in the public parks. It could be a big undertaking, but I could work with you on choosing containers.

**Gromack:** Something that is attractive in our parks.

**Kleiner:** I'd like to request the members of the Executive Director Search Committee receive the resumes of all the candidates that have applied for the position.

**St. Lawrence:** That can be done. Any other items? Motion to adjourn?

**Phillips:** Moved

**Cornell:** Seconded

Respectfully submitted,  
Suzanne Haggerty