

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

JANUARY 18, 2018 – MEETING MINUTES

A meeting of the Dutchess County Resource Recovery Agency convened at 5:00 p.m. at the offices of the Agency located at 96 Sand Dock Road, Poughkeepsie, New York. Those present included W. Nussbickel, Chairman, D. Petrovits, Vice-Chairman; S. Tinkelman, Treasurer; D. Lois, Secretary; Board Member, J. Senft; Agency Staff, L. Carille and D. Walsh; D. Abrams, PLLC, and J. Mackey, Mackey Butts & Wise, LLP.

1. **Regular Session** – Chairman W. Nussbickel called the meeting to order at 5:10 pm.
2. **Executive Session** – A motion at 5:11 pm to move into Executive Session was made by D. Petrovits, seconded by J. Senft and unanimously carried to discuss proposed, pending or current litigation.

The meeting resumed back to public session at 6:04 pm with no decisions made during Executive Session.

3. **Minutes** – Chairman W. Nussbickel presented the minutes of the December 21, 2017 board meeting. A motion to approve the December 21, 2017 board meeting minutes was made by D. Lois, seconded by D. Petrovits and unanimously approved.
4. **Agency Financial Report** – The payables were presented in the amount of \$719,792.08. Chairman W. Nussbickel inquired about the Delaware County Dept. of Public Works charges of \$1,017.50. D. Walsh replied that it is for ash disposal. It is an alternative landfill the Agency is able to use pursuant to Facility operational needs when the Albany landfill has reached its weekly tonnage limit for ash.

With no further discussion, a motion to approve the payables for \$719,792.08 was made by D. Petrovits, seconded by J. Senft and unanimously approved.

The Profit and Loss Statement was reviewed. The net service fee shows a yearly ending balance of (-\$362,335). L. Carille stated that it may slightly change with the completion of the annual reconciliation and that there will be no net service fee for 2017.

5. **Balanced Scorecard Report** – The Agency did reach the 140,000 yearly tonnage waste guarantee to the Operator in December. The excess tonnage credit resulted in a service credit totaling \$314,466.15. L. Carille stated that normally this credit is shown in the annual reconciliation; however, Wheelabrator requested that it be done in their December invoice. She did verify with the auditors who also approved the request.

The Net Agency Tons (NAT) for the month was 12,674. The net energy conversion performance rate in December was 282.2 kWh/NAT. The electric recovery guarantee was not met in December. The ferrous recovery in December was calculated to be 4.34%. The metal

guarantee was met. The official wet ash residue was 32.71 percent of NAT, which exceeded the 32.0 percent guarantee. The value of the submitted invoice for \$466,641.76 to Wheelabrator, which includes credits to the Agency for processing the excess tonnage, for electrical shortfall penalties totaling \$99,744.84 and for an ash exceedance penalty of \$85,446.51 is considered complete and approved for payment to Wheelabrator.

6. **Other Business** – The Board unanimously approved payment for one full-time employee that has more than ten days' vacation. Under the Agency's benefit plan, full time employees may be paid for up to 10 days of unused vacation in any given year.

L. Carille stated that special legal counsel D. Abrams has used up the funds allocated for his service. The Board unanimously agreed to continue his service that will be billed on an hourly fee basis.

There were no violations reported from NYSDEC.

There was no public comment.

With no further business to discuss at 6:25 pm a motion to adjourn the meeting was made by D. Petrovits, seconded by J. Senft and unanimously carried.