

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## FEBRUARY 18, 2016 – 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 J. Small, Chairman; W. Nussbickel, Treasurer/Secretary; and Board Members, T. LeGrand, D. Petrovits, and S. Tinkelman; Agency Staff, W. J. Calogero, and D. Walsh; Agency Counsel, J. Nelson; D. Leibnitz, HDR; and L. Carille, Dutchess County Deputy Commissioner, Division of Solid Waste Management.

- 1. Regular Session** – Chairman J. Small called the meeting to order at 5:10 pm.
- 2. Operating Report** – The yearly budget is set at receiving 154,000 tons of waste, the same amount as last year. For the month of January it was projected to receive 11,714 tons of waste and the actual tonnage was 11,413, a shortfall of 300 tons. Chairman J. Small asked what the status was for the treated regulated medical waste. W. Calogero replied that there were carbon monoxide excursion problems. Also the agreement that was made with the company providing the material was taken away from the Agency and given to Wheelabrator at one of their closer locations.
- 3. Engineer Report** – In January, the Facility ran well with the availabilities on Units #1 and #2 being 93.8% and 99.8% respectively. The turbine/generator had an availability of 99.0%. Unit No. 1 was down for a scheduled boiler wash, fan maintenance and some boiler-exterior pipe repairs. The January performance of the Facility, based on Net Agency Tons was as follows:

Total Net Agency Tons (NAT): 11,432,60  
Electrical Production Efficiency: 340.67 kWh/NAT  
Ferrous Metal Recovery: 4.71 percent of NAT  
Ash Residue Ratio: 40.41 percent of NAT

The annual reconciliation of operations for 2015 is completed and will result in a net repayment to WTI of prior penalties withheld totaling \$27,319.28.

So far this month the Facility has had low availability. In the case of Unit No. 2, the travelling grate gearbox failed. Due to an extended lead time to replace the gearbox, WTI has opted to perform the April outage on that unit at this time. In February, to date, the availability of Unit No. 2 has been 28%. Unit No. 1 had two boiler tube leaks creating a need for two unscheduled shut downs, therefore, the availability on Unit. No. 1 this month is 73% to date. Unit No. 1 is presently back in service. Unit No. 2 is scheduled to restart at midnight tonight. Due to the low pit inventory at the start of the month and the seasonally lower delivery rates no MSW has been bypassed. The pit volume is presently estimated to be 3300 tons.

On January 27<sup>th</sup> the Agency, HDR and WTI met with the NYSDEC to discuss various issues. The NYSDEC has indicated that they will consider modifying the present operating permit t

allow utilization of two zones in the MSW pit for the receipt and mixing of special wastes, as needed. In addition, the NYSDEC indicated that they will consider a permit modification that will allow the ash residue to be stored, short-term, against the pushwall in the tipping hall extension to allow better drainage of the material before it travels to the landfill. These modifications are being prepared.

On February 4, 2016, the Agency received the Notice of Violation for the carbon monoxide excursions that occurred on December 12 and 19, 2015, during the shake down period using treated regulated medical waste. After much negotiation, a penalty of \$5,000 was assessed which is reimbursable to the Agency by WTI pursuant to the Service Agreement and has been incorporated into the annual reconciliation. This penalty was at the low end of the penalty range that could have been assessed as high as \$37,500.

The Title V air permit renewal application is proceeding on schedule.

4. **Agency Financial Report** – The payables were presented in the amount of \$1,084,252.98. D. Petrovits asked about the monthly schedule for engineering. There is \$180,000 a year general engineering budget, \$15,000 monthly. D. Leibnitz added that every year when we don't have any other services, just normal activities, the first and last 3 months always have more activities, and the bills will be higher than the middle 6 months of the year. Discussion continued. D. Leibnitz suggested that anything beyond his scope of work, he will inform the Executive Director before doing the task. D. Petrovits replied that in his opinion he feels that these engineering expenses are out of control and need to be brought into control because the taxpayers are suffering. He's tired of seeing these \$20,000 monthly bills and how it needs to change. L. Carille asked about the Town of Poughkeepsie discharge flow bill. W. Calogero replied that these fees are billed yearly and it is for the use of the sewage treatment facility. A motion to pay the bills as presented for \$1,084,252.98 was made by W. Nussbickel, seconded by T. LeGrand and unanimously approved with S. Tinkelman abstaining.

J. Small asked if there were any other carters that could use the RRF. L. Carille replied that Dutchess County currently has 34 licensed haulers. A good percentage are C&D haulers who would not be able to use the Resource Recovery Facility. Two haulers that do residential pickup, Mid-Hudson and Spartan do use the Resource Recovery Facility; however, Mid-Hudson was recently sold to Royal Carting. There are not a lot of residential collectors. Winter Brothers takes their residential trash back to their transfer station in Connecticut.

5. **Executive Session** – A motion at 5:58 pm to move into Executive Session was made by W. Nussbickel, seconded by T. LeGrand and unanimously approved for attorney/client discussions on matters involving the Covanta litigation and for the hiring/firing, promotion/demotion of a particular person, firm or corporation.

It was moved by W. Nussbickel, seconded by T. LeGrand and carried (4-0) to adopt **Resolution No. 813, Separation, Release** regarding a personnel matter.

6. **Regular Session** – The meeting resumed back into public session at 6:48 pm. It was moved by W. Nussbickel, seconded by J. Small and carried (4-0) to adopt **Resolution No. 815 Order on Consent**. The Agency Executive Director is authorized to execute the annexed Order on Consent from an air permit exceedance occurring on December 12, 2015 and forward it to NYSDEC together with a civil penalty payment in the amount of \$5,000. The penalty will be reimbursed to the Agency by Wheelabrator Dutchess, LLC.
7. **Executive Session** – At 6:49 pm the Board on a motion adopted unanimously (4-0) returned to Executive Session to discuss matters relating to the hiring/firing, promotion/demotion of a particular person, firm or corporation and the Covanta litigation.

On returning to public session and with no further business to discuss at 7:05 pm a motion to adjourn the meeting was made by W. Nussbickel, seconded by T. LeGrand and unanimously approved.