

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## APRIL 22, 2021 – MEETING MINUTES

A meeting of the Dutchess County Resource Recovery Agency convened at 4:30 p.m. at the offices of the Agency located at 96 Sand Dock Road, Poughkeepsie, New York. Those present included W. Nussbickel, Chairman; S. Tinkelman, Treasurer; Board Members, J. Senft, V. DiMaso and D. Michael; Agency Staff, L. Carille and D. Walsh.

- 1. Regular Session** – Chairman W. Nussbickel called the meeting to order at 4:35 pm.
- 2. Minutes** – Chairman W. Nussbickel presented the minutes of the February 18, 2021 board meeting. A motion to approve the February 18, 2021 board meeting minutes was made by S. Tinkelman, seconded by D. Michael and unanimously carried.
- 3. Balanced Scorecard Report** - L. Carille stated that the planned outage continued through March on Boiler No. 2. Due to the high pit level, waste diversion was arranged with Royal Carting to divert 200 - 300 tons per day to other facilities. WIN Waste Innovations (Wheelabrator) also initiated bypass of waste. The waste diversion ended March 29<sup>th</sup> when the pit was at a good level for normal operations to be resumed. Boiler No. 1 and the turbine experienced a brief glitch in March and was down for only a short time. Although WIN Waste Innovations had a good month for metals and electric generation they did have quarterly penalties for not meeting the metals and electric performance guarantees on previous months. There was also an ash guarantee penalty resulting in \$41,164. The annual Facility financial 2020 reconciliation was completed and it resulted in a settlement of \$5,977.32 back to WIN Waste Innovations which is included on their March invoice. The submitted invoice for \$553,168.68 is considered complete and approved for payment to WIN Waste Innovations.
- 4. Agency Financial Report** – The payables were presented in the amount of \$843,820.58. S. Tinkleman asked about the Mackey Butts and Wise bill. L. Carille stated that it was necessary for them to be involved in an environmental dispute that the County and Agency received regarding a disposal site used in Georgia from Care Environmental, the vendor used for the household hazardous waste collection events. The firm needed to research law and regulations applicable to Georgia environmental law and have discussions with the County Attorney on a settlement. She also called upon their services to review a new letter of credit from the Operator.

D& B Engineers' services was also requested this month. They have been actively working on the Agency's Title V Permit renewal application, which is done every 5 years, in addition to several compliance reports. The 2020 Annual Emission Statement, the USEPA Greenhouse Gas Report, USDOE EIA 860 and 923 reports, and Part 212 potential-to-emit calculation services. The Title V renewal/modification application has been submitted to the NYSDEC.

There were no further questions regarding the Financials. A motion to approve the payables for \$843,820.58 was made by J. Senft, seconded by D. Michael and unanimously approved.

L. Carille stated that the Agency's revenues exceeded the expenses this month. The year-to-date net service fee balance is (-\$254,063).

## **5. Committee Reports**

### **Resolution No. 866 Authorization to Execute Settlement Agreement**

The Agency was notified by the County of Dutchess that the Georgia Department of Environmental Resources designated the County as one of the responsible parties for the hazardous contamination of a site in Georgia. The site was used by Care Environmental as a disposal site for Dutchess County residential hazardous waste. Care Environmental was the vendor used by the County from 2016 through 2020 for the household hazardous waste collection events. It was determined that the contamination also occurred in years prior to 2016. From 1996 through 2015 the Agency contracted with Care Environmental for these events. The County and the Agency desire to resolve their differences and settle all claims and agreed upon \$30,000 as a reasonable settlement amount of which the County will pay \$25,000 and the Agency will pay \$5,000. The Executive Director of the Agency is hereby authorized to execute this Settlement Agreement release of all claims. A motion to approve Resolution No. 866 Authorization to Execute Settlement Agreement was made by S. Tinkelman, seconded by D. Michael and unanimously carried.

### **Resolution No. 867 Financial Statement Acceptance**

The 2020 Agency Audit was completed in March. There were no discrepancies reported. Following a discussion with the Agency Board and its consideration of the 2020 financial statements prepared by RBT CPAs, LLC, the 2020 financial statements were accepted by the Agency. A motion to approve Resolution No. 867 Financial Statement Acceptance was made by D. Michael, seconded by V. DiMaso, and unanimously carried.

- 6. Other Business** – The Agency issued a Request for Proposal for Professional Auditing Services. Deadline for the submissions of proposals is May 7, 2021 at 3:00 pm.

There were no violations reported from NYSDEC.

- 7. Public Comment** – There was no public comment.

With no further business to discuss, at 5:25 pm a motion to adjourn the meeting was made by D. Michael, seconded by S. Tinkelman and unanimously carried.